



COUR EUROPÉENNE DES DROITS DE L'HOMME  
EUROPEAN COURT OF HUMAN RIGHTS

# *Survey of activities* *2007*

Registry of the European Court of Human Rights  
Strasbourg, 2008



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*Note:* This survey provides general information and statistics concerning the activities of the Court in 2007. Separate annual activity reports are also available for the Grand Chamber and each of the five Sections.



## I. HISTORY AND DEVELOPMENT OF THE CONVENTION SYSTEM

### A. *A system in continuous evolution*

1. The Convention for the Protection of Human Rights and Fundamental Freedoms was drawn up within the Council of Europe. It was opened for signature in Rome on 4 November 1950 and entered into force in September 1953. Taking as their starting-point the 1948 Universal Declaration of Human Rights, the framers of the Convention sought to pursue the aims of the Council of Europe through the maintenance and further realisation of human rights and fundamental freedoms. The Convention represented the first steps for the collective enforcement of certain of the rights set out in the Universal Declaration.

2. In addition to laying down a catalogue of civil and political rights and freedoms, the Convention set up a mechanism for the enforcement of the obligations entered into by Contracting States. Three institutions were entrusted with this responsibility: the European Commission of Human Rights (set up in 1954), the European Court of Human Rights (set up in 1959) and the Committee of Ministers of the Council of Europe, the last of these being composed of the Ministers of Foreign Affairs of the member States or their representatives.

3. There are two types of application under the Convention, inter-State and individual. Applications of the first type have been rare. Prominent examples are the case taken by Ireland against the United Kingdom in the 1970s relating to security measures in Northern Ireland, and several cases taken by Cyprus against Turkey over the situation in northern Cyprus.

4. The right of individual complaint, which is one of the essential features of the system today, was originally an option that Contracting States could recognise at their discretion. When the Convention entered into force, only three of the original ten Contracting States recognised this right. By 1990, all Contracting States (twenty-two at that date) had recognised the right, which was subsequently accepted by all the central and eastern European States that joined the Council of Europe and ratified the Convention after that date. When Protocol No. 11 took effect in 1998, recognition of the right of individual petition became compulsory. In the words of the Court, “individuals now enjoy at the international level a real right of action to assert the rights and freedoms to which they are directly entitled under the Convention”<sup>1</sup>. This right applies to natural and legal persons, groups of individuals and to non-governmental organisations.

5. The original procedure for handling complaints entailed a preliminary examination by the Commission, which determined their admissibility. Where an application was declared admissible, the Commission placed itself at the parties' disposal with a view to brokering a friendly settlement. If no settlement was forthcoming, it drew up a report establishing the facts and expressing an opinion on the merits of the case. The report was transmitted to the Committee of Ministers.

6. Where the respondent State had accepted the compulsory jurisdiction of the Court (this too being optional until Protocol No. 11), the Commission and/or any Contracting State concerned had a period of three months following the transmission of the report to the Committee of Ministers within which to bring the case before the Court for a final, binding adjudication including, where appropriate, an award of compensation. Individuals were not entitled to bring their cases before the Court until 1994, when Protocol No. 9 entered into force and amended the Convention so as to allow applicants submit their case to a screening panel composed of three judges, which decided whether the Court should take it up.

If a case was not referred to the Court, the Committee of Ministers decided whether there had been a violation of the Convention and, if appropriate, awarded “just satisfaction” to the victim. The Committee of Ministers also had responsibility for supervising the execution of the Court’s judgments.

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<sup>1</sup> See *Mamatkulov and Askarov v. Turkey* [GC], nos. 46827/99 and 46951/99, § 122, ECHR 2005-I.

### *The Protocols to the Convention*

7. Since the Convention's entry into force fourteen Protocols have been adopted. Protocols Nos. 1, 4, 6, 7, 12<sup>2</sup> and 13 added further rights and liberties to those guaranteed by the Convention. Protocol No. 2 conferred on the Court the power to give advisory opinions, a little-used function that is now governed by Articles 47-49 of the Convention<sup>3</sup>. As noted above, Protocol No. 9 allowed individuals to seek referral of their case to the Court. Protocol No. 11 radically transformed the supervisory system, creating a single, full-time Court to which individuals can have direct recourse. Protocol No. 14, which was adopted in 2004 and has since been ratified by all the Contracting States save the Russian Federation, will introduce a number of institutional and procedural reforms, the main objective being to expand the Court's capacity to deal with clearly inadmissible complaints as well as admissible cases that can be resolved on the basis of well-established case law (see Part C below). The other Protocols, which concerned the organisation of and procedure before the Convention institutions, are of no practical importance today.

#### ***B. Mounting pressure on the Convention system***

8. In the early years of the Convention, the number of applications lodged with the Commission was comparatively small, and the number of cases decided by the Court was much lower again. This changed in the 1980s, by which time the steady growth in the number of cases brought before the Convention institutions made it increasingly difficult to keep the length of proceedings within acceptable limits. Adding to the problem was the rapid increase in the number of Contracting States from 1990 onwards, rising from twenty-two to the current total of forty-seven. The number of applications registered annually with the Commission increased from 404 in 1981 to 4,750 in 1997, the last full year of operation of the original supervisory mechanism. By that same date, the number of unregistered or provisional files opened each year in the Commission had risen to over 12,000. Although on a much lower scale, the Court's statistics reflected a similar story, with the number of cases referred annually rising from 7 in 1981 to 119 in 1997<sup>4</sup>.

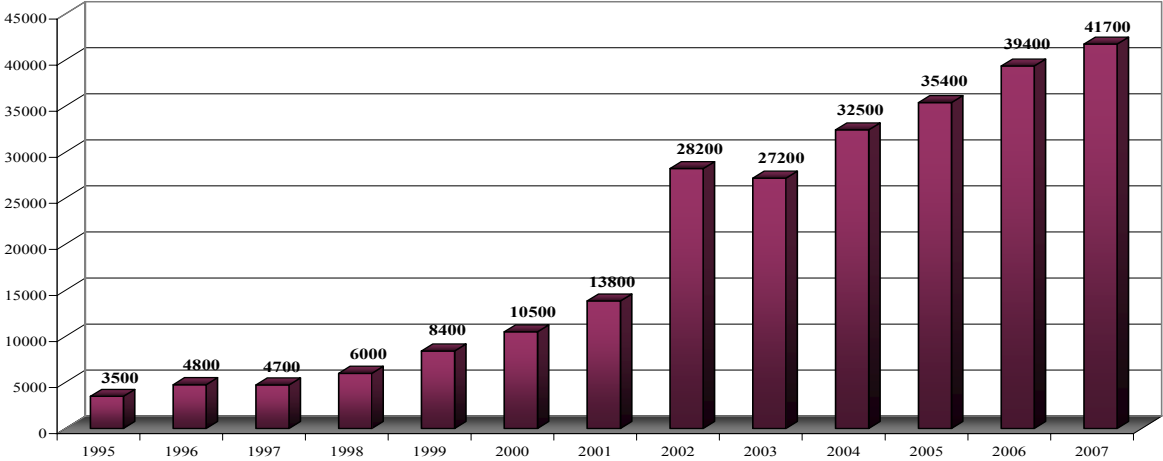
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<sup>2</sup> This is the most recent one to have entered into force, having taken effect in 2005.

<sup>3</sup> There have been two requests by the Committee of Ministers for an advisory opinion. The first one was found to be inadmissible, whereas the second one remains pending.

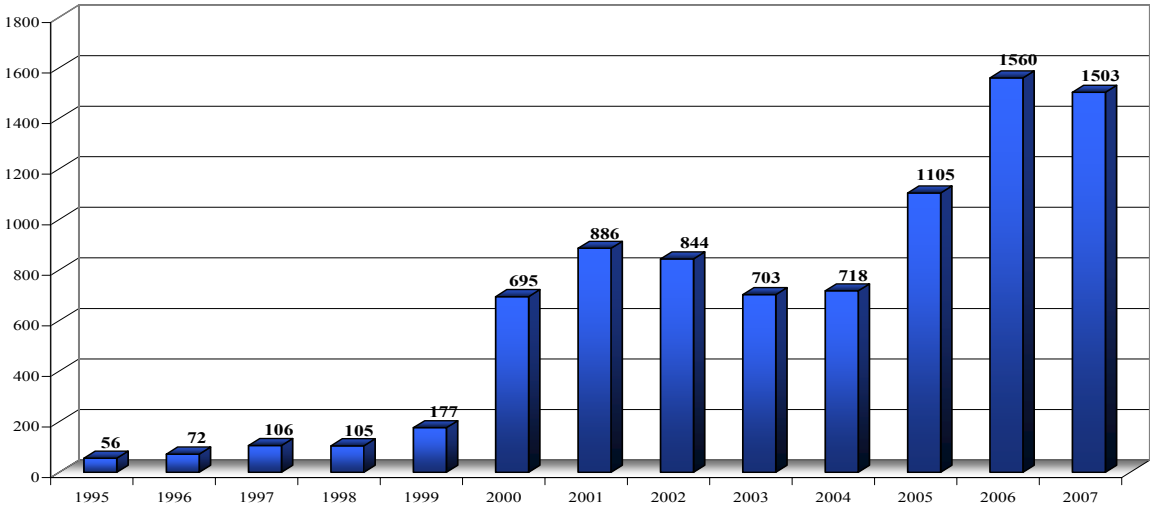
<sup>4</sup> By 31 October 1998, the "old" Court had delivered a total of 837 judgments. The Commission received more than 128,000 applications during its lifetime (1955-1998). It continued to operate for a further twelve months to deal with cases already declared admissible before Protocol No. 11 entered into force.

9. As the following table shows, the Court’s workload has continued to increase (applications allocated to a decision body<sup>5</sup>):



By the end of 2007, almost 80,000 allocated applications were pending before the Court. Four States account for over half (55 %) of its workload: 26 per cent of the cases are directed against Russia, 12 per cent of the cases concern Turkey, 10 per cent Romania and 7 per cent Ukraine.

In 2007, it handed down 1,503 judgments concerning a total of 1,735 applications:



The highest number of judgments concerned Turkey (331), Russia (192), Poland (111) and Ukraine (109). These four States accounted for almost half (49 %) of all judgments. Nearly one third (29 %) of all judgments concerned seven other States: Romania (93 judgments), Italy (67), Greece (65), Moldova (60), Bulgaria (53), United Kingdom (50) and France (48). The remaining 36 Contracting States accounted for less than a quarter of all judgments.

In addition to its judgments, the Court disposed of more than 27,000 other applications, which were either declared inadmissible or struck off for another reason. Applications can also be disposed

<sup>5</sup> See Chapter VII for more details on the new presentation for the Court’s statistics.

of administratively, for example, if the applicant fails to follow up on their initial correspondence with the Court. In 2007, over 13,000 applications were disposed of in this way.

In 2007 the Court dealt with an unprecedented number of requests for interim measures (Rule 39 of the Rules of Court): over 1,000 in total.

For more detailed statistics, please see Chapter VII.

10. This enormous case load has raised concerns over the continuing effectiveness of the Convention system. Further changes to the system were agreed in 2004, when Protocol No. 14 was adopted and opened for signature. By the end of 2007, only one ratification was outstanding. Although when it enters into force Protocol No. 14 will allow the Court to deal more rapidly with certain case types, it cannot lessen the flow of new applications. It is widely agreed that further adaptation of the system is necessary. At the Third Summit of the Council of Europe in Warsaw in May 2005, the heads of State and Government present decided to convene the Group of Wise Persons, composed of eminent legal personalities, to consider the steps that might be taken to ensure the system's continuing viability. The Group reported in December 2006 making a number of recommendations including introducing greater flexibility for reforming the judicial machinery and establishing a new judicial filtering mechanism. Terms of reference have been given to the Council of Europe's Steering Committee for Human Rights (CDDH) to study and take forward the different proposals.



## II. THE EUROPEAN COURT OF HUMAN RIGHTS

### A. *Organisation of the Court*

11. The Court, as presently constituted, was brought into being by Protocol No. 11 on 1 November 1998. This amendment made the Convention process wholly judicial, as the Commission's function of screening applications was entrusted to the Court itself, whose jurisdiction became mandatory. The Committee of Ministers' adjudicative function was formally abolished.

12. The provisions governing the structure and procedure of the Court are to be found in Section II of the Convention (Articles 19-51). The Court is composed of a number of judges equal to that of the Contracting States (currently forty-five<sup>6</sup>). Judges are elected by the Parliamentary Assembly of the Council of Europe, which votes on a shortlist of three candidates put forward by Governments. The term of office is six years, and judges may be re-elected. Their terms of office expire when they reach the age of seventy, although they continue to deal with cases already under their consideration.

Judges sit on the Court in their individual capacity and do not represent any State. They cannot engage in any activity which is incompatible with their independence or impartiality or with the demands of full-time office.

13. The Plenary Court has a number of functions that are stipulated in the Convention. It elects the office holders of the Court, i.e. the President, the two Vice-Presidents (who also preside over a Section) and the three other Section Presidents. In each case, the term of office is three years. The Plenary Court also elects the Registrar and Deputy Registrar. The Rules of Court are adopted and amended by the Plenary Court. It also determines the composition of the Sections.

14. Under the Rules of Court, every judge is assigned to one of the five Sections, whose composition is geographically and gender balanced and takes account of the different legal systems of the Contracting States. The composition of the Sections is varied every three years.

15. The great majority of the judgments of the Court are given by Chambers. These comprise seven judges and are constituted within each Section. The Section President and the judge elected in respect of the State concerned sit in each case. Where the latter is not a member of the Section, he or she sits as an *ex officio* member of the Chamber. If the respondent State in a case is that of the Section President, the Vice-President of the Section will preside. In every case that is decided by a Chamber, the remaining members of the Section who are not full members of that Chamber sit as substitute members.

16. Committees of three judges are set up within each Section for twelve-month periods. Their function is to dispose of applications that are clearly inadmissible.

17. The Grand Chamber of the Court is composed of seventeen judges, who include, as *ex officio* members, the President, Vice-Presidents and Section Presidents. The Grand Chamber deals with cases that raise a serious question of interpretation or application of the Convention, or a serious issue of general importance. A Chamber may relinquish jurisdiction in a case to the Grand Chamber at any stage in the procedure before judgment, as long as both parties consent. Where judgment has been delivered in a case, either party may, within a period of three months, request referral of the case to the Grand Chamber. Where a request is granted, the whole case is reheard.

18. The effect of Protocol No. 14 on the organisation of the Court is explained at part C below.

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<sup>6</sup> The seats of judges in respect of Ireland and Montenegro are currently vacant. See Chapter III of this survey for the list of judges. Biographical details of judges are to be found on the Court's internet site.

## ***B. Procedure before the Court***

### **1. General**

19. Any Contracting State (State application) or individual claiming to be a victim of a violation of the Convention (individual application) may lodge directly with the Court in Strasbourg an application alleging a breach by a Contracting State of one of the Convention rights. A notice for the guidance of applicants and the official application form are available on the Court's internet site. They may also be obtained directly from the Registry.

20. The procedure before the European Court of Human Rights is adversarial and public. It is largely a written procedure. Hearings, which are held only in a very small minority of cases, are public, unless the Chamber/Grand Chamber decides otherwise on account of exceptional circumstances. Memorials and other documents filed with the Court's Registry by the parties are, in principle, accessible to the public.

21. Individual applicants may present their own cases, but they should be legally represented once the application has been communicated to the respondent Government. The Council of Europe has set up a legal aid scheme for applicants who do not have sufficient means.

22. The official languages of the Court are English and French, but applications may be submitted in one of the official languages of the Contracting States. Once the application has been declared admissible, one of the Court's official languages must be used, unless the President of the Chamber/Grand Chamber authorises the continued use of the language of the application.

### **2. The handling of applications**

23. Each application is assigned to a Section, where it will be dealt with by a Committee or a Chamber.

An individual application that clearly fails to meet one of the admissibility criteria will be referred to a Committee, which will declare it inadmissible or strike it off. A unanimous vote is required, and the Committee's decision is final. All other individual applications, as well as inter-State applications are referred to a Chamber. One member of the Chamber will be designated to act as judge rapporteur for the case. The identity of the rapporteur is not divulged to the parties. The application will be communicated to the respondent State, which will be asked to address the issues of admissibility and merits that arise, as well as the applicant's claims for just satisfaction. The parties will also be invited to consider whether a friendly settlement is possible. The Registrar facilitates friendly settlement negotiations, which are confidential and without prejudice to the parties' positions.

24. The Chamber will determine both admissibility and merits. As a rule, both aspects are taken together in a single judgment, although the Chamber may take a separate decision on admissibility, where appropriate. Such decisions, which are taken by majority vote, must contain reasons and be made public.

25. The President of the Chamber may, in the interests of the proper administration of justice, invite or grant leave to any Contracting State which is not party to the proceedings, or any person concerned who is not the applicant, to submit written comments, and, in exceptional circumstances, to make representations at the hearing. A Contracting State whose national is an applicant in the case is entitled to intervene as of right.

26. Chambers decide by a majority vote. Any judge who has taken part in the consideration of the case is entitled to append to the judgment a separate opinion, either concurring or dissenting, or a bare statement of dissent.

27. A Chamber judgment becomes final three months after its delivery. Within that time, any party may request that the case be referred to the Grand Chamber if it raises a serious question of interpretation or application or a serious issue of general importance. If the parties declare that they will not make such a request, the judgment will become final immediately. Where a request for referral is made, it is examined by a panel of five judges composed of the President of the Court, two Section Presidents designated by rotation, and two more judges also designated by rotation. No judge who has considered the admissibility and/or merits of the case may be part of the panel that considers the request. If the panel rejects the request, the Chamber judgment becomes final immediately. A case that is accepted will be re-heard by the Grand Chamber. Its judgment is final.

28. All final judgments of the Court are binding on the respondent States concerned.

29. Responsibility for supervising the execution of judgments lies with the Committee of Ministers of the Council of Europe. The Committee of Ministers verifies whether the State in respect of which a violation of the Convention is found has taken adequate remedial measures, which may be specific and/or general, to comply with the Court's judgment.

30. The changes in procedure that Protocol No. 14 will bring about are described in the next part.

### ***C. Protocol No. 14***

31. Protocol 14 will change the current organisation and procedure of the Court in a number of respects. When it takes effect, judges will be elected for a single term of nine years. The present judicial formations will be modified. The function discharged by a Committee will be taken on by a single judge, who cannot be the judge sitting in respect of the State concerned. The judge will be assisted by a new category of Court officers, to be known as rapporteurs. Committees will have the power to give judgment in cases to which well-established case law is applicable. The competence of Chambers will not change, although the Plenary Court may request the Committee of Ministers to reduce their size from seven members to five for a fixed period of time. The procedures before the Chambers and the Grand Chamber will remain as described above, although the Council of Europe Commissioner for Human Rights will be entitled to submit written comments and take part in the hearing in any case.

32. Protocol No. 14 will institute two new procedures regarding the execution phase. The Committee of Ministers will be able to request interpretation of a judgment of the Court. It will also be able to take proceedings in cases where, in its view, the respondent State refuses to comply with a judgment of the Court. In such proceedings, the Court will be asked to determine whether the State has respected its obligation under Article 46 to abide by a final judgment against it.

### III. COMPOSITION OF THE COURT (as at 31 December 2007)<sup>7</sup>

(in order of precedence)

Mr Jean-Paul COSTA, President	(French)
Mr Christos ROZAKIS, Vice-President	(Greek)
Sir Nicolas BRATZA, Vice-President	(British)
Mr Boštjan ZUPANČIČ, Section President	(Slovenian)
Mr Peer LORENZEN, Section President	(Danish)
Ms Françoise TULKENS, Section President	(Belgian)
Mr Giovanni BONELLO	(Maltese)
Mr Loukis LOUCAIDES	(Cypriot)
Mr Ireneu CABRAL BARRETO	(Portuguese)
Mr Rıza TÜRMEŒ	(Turkish)
Mr Corneliu BÎRSAN	(Romanian)
Mr Karel JUNGWIERT	(Czech)
Mr Volodymyr BUTKEVYCH	(Ukrainian)
Mr Josep CASADEVALL	(Andorran)
Ms Nina VAJIĆ	(Croatian)
Ms Margarita TSATSA-NIKOLOVSKA	(citizen of "the Former Yugoslav Republic of Macedonia")
Mr András BAKA	(Hungarian)
Mr Rait MARUSTE	(Estonian)
Mr Kristaq TRAJA	(Albanian)
Ms Snejana BOTOCHAROVA	(Bulgarian)
Mr Mindia UGREKHELIDZE	(Georgian)
Mr Anatoly KOVLER	(Russian)
Mr Vladimiro ZAGREBELSKY	(Italian)
Ms Antonella MULARONI	(San Marinese)
Ms Elisabeth STEINER	(Austrian)
Mr Stanislav PAVLOVSKI	(Moldovan)
Mr Lech GARLICKI	(Polish)
Mr Javier BORREGO BORREGO	(Spanish)
Ms Elisabet FURA-SANDSTRÖM	(Swedish)
Ms Alvina GYULUMYAN	(Armenian)
Mr Khanlar HAJIYEV	(Azerbaijani)
Ms Ljiljana MIJOVIĆ	(citizen of Bosnia and Herzegovina)
Mr Dean SPIELMANN	(Luxemburger)
Ms Renate JAEGER	(German)
Mr Egbert MYJER	(Netherlands)
Mr Sverre Erik JEBENS	(Norwegian)
Mr David Thór BJÖRGVINSSON	(Icelandic)
Ms Danutė JOČIENĖ	(Lithuanian)
Mr Ján ŠIKUTA	(Slovakian)
Mr Dragoljub POPOVIĆ	(Serbian)
Ms Ineta ZIEMELE	(Latvian)
Mr Mark VILLIGER	(Swiss) <sup>8</sup>
Ms Isabelle BERRO-LEFÈVRE	(Monegasque)
Mrs Päivi HIRVELÄ	(Finnish)
Mr Giorgio MALINVERNI	(Swiss)
Mr Erik FRIBERGH, Registrar	(Swedish)
Mr Michael O'BOYLE, Deputy Registrar	(Irish)

<sup>7</sup> The seats of judges in respect of Ireland and Montenegro are currently vacant.

<sup>8</sup> Elected as the judge in respect of Liechtenstein.

#### IV. SELECTION OF JUDGMENTS DELIVERED BY THE COURT IN 2007<sup>9</sup>

##### ARTICLE 2

###### *Article 2(1)*

###### **Life**

Effectiveness of an investigation into a fatal shooting by a police officer – extent to which victim's relatives were able to participate – lack of a public hearing of the relatives' legal challenge against the decision not to prosecute the police officer: *violation/no violation*.

RAMSAHAI and Others v. Netherlands, 52391/99, No. 97

Effectiveness of a continuing twelve-year inquiry into a fatal explosion in a state-of-emergency region: *violation*.

KAMİL UZUN v. Turkey, 37410/97, No. 97

Failure of the police to protect the lives of the applicant's children, eventually killed by their father: *violation*.

KONTROVÁ v. Slovakia, 7510/04, No. 97

Inadequacy of criminal sentence imposed on police officers responsible for ill-treatment causing death: *violation*.

NIKOLOVA and VELICHKOVA v. Bulgaria, 7888/03, No. 103

###### **Positive obligations**

Failure of the police to protect the lives of the applicant's children, eventually killed by their father: *violation*.

KONTROVÁ v. Slovakia, 7510/04, No. 97

Civil proceedings in alleged medical negligence case rendered ineffective by lengthy delays and procedural problems: *violation (case referred to the Grand Chamber)*.

ŠILIH v. Slovenia, 71463/01, No. 98

Investigative failings resulting in persons responsible for a fatal shooting following the intervention of an off-duty police officer not being called upon to furnish an explanation: *violation*.

CELNIKU v. Greece, 21449/04, No. 99

Extrajudicial execution of tens of citizens by security forces and subsequent failure to conduct an effective investigation: *violations*.

MUSAYEV and Others v. Russia, 57941/00, 58699/00 and 60403/00, No. 99

Death allegedly caused by an assault a month earlier by a State agent although no causal link was established at the trial: *violation (procedural)*.

FEYZİ YILDIRIM v. Turkey, 40074/98, No. 99

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<sup>9</sup> The cases include non-final judgments (Article 43 of the Convention) and are listed with their name and number. Where applicable, the two- or three-digit number at the end of each reference line indicates the issue of the Case-Law Information Note where the case was summarised. Depending on the Court's findings a case may have appeared in the Information Note under several keywords. The monthly Information Notes are accessible in the Court's case-law database HUDOC at [www.echr.coe.int](http://www.echr.coe.int). A hard-copy subscription is available from [publishing@echr.coe.int](mailto:publishing@echr.coe.int) for EUR 30 (USD 45) per year, including an index. All judgments and admissibility decisions (other than those taken by the committees) are available in full text in HUDOC.

Failure to hold effective investigation into racially motivated killing: *violation*.  
ANGELOVA and ILIEV v. Bulgaria, 55523/00, No. 99

*De facto* impunity of State agents convicted of complicity in the torture and subsequent death of a person in police custody - effectiveness of criminal proceedings: *violation*.  
TEREN AKSAKAL v. Turkey, 51967/99, No. 100

Death by gradual asphyxia of a young man who was handcuffed and held face down to the ground by police officers for over thirty minutes: *violation*.  
SAOUD v. France, 9375/02, No. 101

Lack of adequate proceedings for examining hospital death: *violation (case referred to the Grand Chamber)*.  
ŠILIH v. Slovenia, 71463/01, No. 102

Lack of independence of police force called upon to investigate allegations of security force collusion in the death of the applicant's husband: *violation*.  
BRECKNELL v. United Kingdom, 32457/04, No. 102

### *Article 2(2)*

#### **Use of force**

Fatal shooting by a police officer during an attempted arrest: *no violation*.  
RAMSAHAI and Others v. Netherlands, 52391/99, No. 97

Use of lethal force by police officers fired at in a café, and effectiveness of the investigations: *no violation/violation*.  
YÜKSEL ERDOĞAN and Others v. Turkey, 57049/00, No. 94

Killings during an armed clash with security forces and lack of domestic investigation into the circumstances of the deaths: *no violation/violation*.  
AKPINAR and ALTUN v. Turkey, 56760/00, No. 94

Unintended killing of person during siege after he had been firing at police officers: *no violation*.  
HUOHVANAINEN v. Finland, 57389/00, No. 95

Use by police of a face-down immobilisation technique to arrest a deranged man: *violation*.  
SAOUD v. France, 9375/02, No. 101

### **ARTICLE 3**

#### **Torture**

Torture of opposition leader and lack of effective investigation: *violation*.  
MAMMADOV (JALALOGLU) v. Azerbaijan, 34445/04, No. 93

Torture and wrongful detention of Chechnyan applicants: *violation*.  
CHITAYEV and CHITAYEV v. Russia, 59334/00, No. 93

Force-feeding of prisoner on hunger strike in protest against prison conditions: *violation*.  
CIORAP v. Moldova, 12066/02, No. 98

## **Inhuman or degrading treatment**

Mutilation of corpses - ears cut off after death: *no violation (as regards the deceased)*.

AKPINAR and ALTUN v. Turkey, 56760/00, No. 94

Applicants presented with the mutilated bodies of relatives: *violation*.

AKPINAR and ALTUN v. Turkey, 56760/00, No. 94

Unjustified strip-search during arrest: *violation*.

WIESER v. Austria, 2293/03, No. 94

Applicant with no criminal record developed irreversible psychopathological disorders after being arrested for questioning and forced to wear handcuffs at his place of work and in front of his family and neighbours: *violation*.

ERDOĞAN YAĞIZ v. Turkey, 27473/02, No. 95

Use of a teargas, known as “pepper spray”, to break up demonstrators: *no violation*.

ÇİLOĞLU and Others v. Turkey, 73333/01, No. 95

Failure to carry out an effective investigation into racist attack on a member of the Roma: *violation*.

ŠEČIĆ v. Croatia, 40116/02, No. 97

Violent assault on a congregation of Jehovah's Witnesses by a group purporting to support the Orthodox Church and lack of an effective investigation: *violation*.

97 MEMBERS OF THE GLDANI CONGREGATION OF JEHOVAH'S WITNESSES  
and 4 Others v. Georgia, 71156/01, No. 97

Conditions of pre-trial detention and detainee's obligation to pay for their improvement: *violation*.

MODARCA v. Moldova, 14437/05, No. 97

Failure to take into account a prisoner's serious invalidity when arranging for his detention and transfer: *violation*.

HÜSEYİN YILDIRIM v. Turkey, 2778/02, No. 97

Placement in a disciplinary isolation cell, lack of medical care and undernourishment of a detainee suffering from tuberculosis: *violation*.

GORODNICHEV v. Russia, 52058/99, No. 97

Wearing of handcuffs at public hearings not justified by security requirements: *violation*.

GORODNICHEV v. Russia, 52058/99, No. 97

Force-feeding of prisoner on hunger strike in protest against prison conditions: *violation*.

CIORAP v. Moldova, 12066/02, No. 98

Full body search of prisoner including systematic visual inspection of the anus after each prison visit during a period of two years: *violation*.

FRÉROT v. France, 70204/01, No. 98

Inability of victims of an alleged criminal offence to challenge in court a prosecutor's decision not to institute proceedings: *violation*.

MACOVEI and Others v. Romania, 5048/02, No. 98

Lack of proper medical assistance and abrupt interruption of neurological treatment administered to a remand detainee: *violation*.

PALADI v. Moldova, 39806/05, No. 99

Treatment of Roma suspect in police custody and failure to carry out a proper investigation into his allegations: *violation*.

COBZARU v. Romania, 48254/99, No. 99

Unjustified use of truncheons, placement in solitary confinement, handcuffing and lack of adequate medical care of a detainee suffering from schizophrenia: *violation*.

KUCHERUK v. Ukraine, 2570/04, No. 100

Allegation by the applicant that she was forced by the conduct of the family-allowance-contribution collection agency to continue to work as a prostitute: *no violation*.

TREMBLAY v. France, 37194/02, No. 100

Use of excessive force by a police officer against an unaccompanied woman who had been required to attend a police station: *violation*.

FAHRIYE ÇALIŞKAN v. Turkey, 40516/98, No. 101

Conditions in which a prisoner suffering from serious illness was held and lack of adequate medical care: *violation*.

YAKOVENKO v. Ukraine, 15825/06, No. 101

Conditions of detention of a prisoner suffering from mental disorders: *violation*.

DYBEKU v. Albania, 41153/06, No. 103

### **Expulsion**

Proposed expulsion of asylum seeker to “relatively safe area” of Somalia: *expulsion would violate Article 3*.

SALAH SHEEKH v. Netherlands, 1948/04, No. 93

Risk of deportation to Afghanistan: *deportation would not constitute a violation*.

SULTANI v. France, 45223/05, No. 100

### **Extradition**

Arrest in breach of domestic law and extradition in circumstances in which the authorities must have been aware that the applicant faced a real risk of ill-treatment: *violation*.

GARABAYEV v. Russia, 38411/02, No. 98

### **Positive obligations**

Lack of adequate investigation into the use of truncheons by prison guards to a detainee suffering from schizophrenia: *violation*.

KUCHERUK v. Ukraine, 2570/04, No. 100

Lack of investigation into complaints about intimidation of a remand prisoner in solitary confinement: *violation*.

STEPULEAC v. Moldova, 8207/06, No. 102



## ARTICLE 5

### *Article 5(1)*

#### **Lawful arrest or detention**

Circumvention of a domestic law provision on maximum length of detention by re-detaining person ten minutes after release: *violation*.

JOHN v. Greece, 199/05, No. 97

Continued detention in hospital after a compulsory psychiatric treatment order was lifted: *violation*.

KUCHERUK v. Ukraine, 2570/04, No. 100

Failure to notify a detention order within the time-limit prescribed by law: *violation*.

VOSKUIL v. Netherlands, N<sup>o</sup> 64752/01, No. 102

### *Article 5(1)(c)*

#### **Reasonable suspicion**

Applicant's arrest and pre-trial detention without verifying whether the complaints against him were *prima facie* well-founded: *violation*.

STEPULEAC v. Moldova, 8207/06, No. 102

### *Article 5(1)(e)*

#### **Persons of unsound mind**

Prolonged detention in an ordinary remand centre pending admission to a psychiatric hospital: *violation*.

MOCARSKA v. Poland, 26917/05, No. 102

### *Article 5(1)(f)*

#### **Prevent unauthorised entry into country**

Continued detention of an asylum seeker in an airport waiting area following an interim indication by the Court under Rule 39 of the Rules of Court that he should not be removed to his country of origin: *no violation*.

GEBREMEDHIN [GABERAMADHIEN] v. France, 25389/05, No. 96

#### **Expulsion**

Circumvention of a domestic law provision on maximum length of detention pending removal: *violation*.

JOHN v. Greece, 199/05, No. 97

#### **Extradition**

Inconsistent interpretation of provisions applicable to detainees awaiting extradition: *violation*.

NASRULLOYEV v. Russia, 656/06, No. 101

### *Article 5(3)*

#### **Length of detention on remand**

Date when time starts to run for the purposes of the six-month time-limit in cases of consecutive periods of pre-trial detention: *violation*.

SOLMAZ v. Turkey, 27561/02, No. 93

Failure to give detailed reasons for the continued detention of a remand prisoner: *violation*.

CASTRAVET v. Moldova, 23393/05, No. 95

Failure by the Belgian judicial authorities to give any serious consideration to the question of alternatives to preventive detention: *violation*.

LELIEVRE v. Belgium, 11287/03, No. 102

### *Article 5(4)*

#### **Take proceedings**

Remand prisoner prevented from communicating effectively with his lawyer by a glass partition and fear that their discussions were being monitored: *violation*.

CASTRAVET v. Moldova, 23393/05, No. 95

Lack of confidentiality of lawyer-client communications due to indiscriminate use of a glass partition in a detention centre: *violation*.

MODARCA v. Moldova, 14437/05, No. 97

Three years of detention pending extradition without any possibility to apply for review: *violation*.

NASRULLOYEV v. Russia, 656/06, No. 101

### *Article 5(5)*

#### **Compensation**

Denial of compensation due to malfunction of judicial system and lack of final decisions ordering discontinuance of criminal proceedings: *violation*.

CHITAYEV and CHITAYEV v. Russia, 59334/00, No. 93

## **ARTICLE 6**

### *Article 6(1) [civil]*

#### **Applicability**

Dispute regarding police personnel's entitlement to a special allowance: *Article 6 applicable (new approach in cases involving civil servants)*.

VILHO ESKELINEN and Others v. Finland, 63235/00, No. 96

#### **Civil rights and obligations**

Dispute over a claim of corporate succession which had no basis in domestic law: *no violation*.

OAO PLODOVAYA KOMPANIYA v. Russia, 1641/02, No. 98

## **Right to a court**

Association with limited resources ordered to pay a multinational's costs in environmental-protection proceedings: *no violation*.

COLLECTIF NATIONAL D'INFORMATION ET D'OPPOSITION À L'USINE MELOX - COLLECTIF STOP MELOX ET MOX v. France, 75218/01, No. 98

Non-enforcement of a decision of the Human Rights Chamber: *violation*.

KARANOVIĆ v. Bosnia and Herzegovina, 39462/03, No. 102

Supervisory review of final judgments and lack of impartiality of the Supreme Court; failure to enforce judgments and administrative decisions for the restitution of property: *violations*.

DRIZA v. Albania, 33771/02, No. 102

RAMADHI and five Others v. Albania, 33222/02, No. 102

## **Access to court**

Inability of the managing director and sole shareholder of a company to challenge an order for its liquidation: *violation*.

ARMA v. France, 23241/04, No. 95

Inability of legally-aided clients to appeal to the Supreme Court owing to their lawyers' advice that they did not have reasonable prospects of success: *violation*.

STAROSZCZYK v. Poland, 59519/00, No. 95

SIAŁKOWSKA v. Poland, 8932/05, No. 95

Refusal, without any plausible explanation, of permission to lodge detailed appeal submissions: *violation*.

DUNAYEV v. Russia, 70142/01, No. 97

Refusal of legal aid for a claimant who was unable to pay the procedural costs for bringing an action - procedural guarantees afforded by the domestic legal-aid scheme: *violation*.

BAKAN v. Turkey, 50939/99, No. 98

Wrongful refusal by the Supreme Court to hear, for failure to pay the prescribed fee, an appeal in a case of alleged torture: *violation*.

CIORAP v. Moldova, 12066/02, No. 98

Order requiring claimant in a civil action to pay court fees calculated as a percentage of any part of his claim that was disallowed: *violation*.

STANKOV v. Bulgaria, 68490/01, No. 99

Discontinuance of civil action as a result of failure of impecunious claimants to pay court fees after they were refused legal aid on the grounds that they had obtained legal representation under a contingency-fee arrangement: *violation*.

MEHMET and SUNA YİĞİT v. Turkey, 52658/99, No. 99

Failure to comply with a final judgment requiring administrative authorities to deliver up possession of a building occupied by a governmental organisation that enjoyed diplomatic immunity: *violation*.

HIRSCHHORN v. Romania, 29294/02, No. 99

Temporary suspension of courts in Chechnya owing to a counter-terrorist operation: *violation*.

KHAMIDOV v. Russia, 72118/01, No. 102

Failure to give final determination of the applicant's constitutional appeal due to tied vote: *violation*.

MARINI v. Albania, 3738/02, No. 103

## **Fair hearing**

Retrospective and final determination of the merits of pending litigation by legislative intervention that was not justified by compelling general-interest grounds: *violation*.

ARNOLIN and Others and 24 other cases v. France, 20127/03 etc., No. 93  
AUBERT and Others and 8 others cases v. France, 31501/03 etc., No. 93

Failure by domestic courts to examine an alleged Convention violation: *violation*.

KUZNETSOV and Others v. Russia, 184/02, No. 93

Judge on appellate court examines the merits of an appeal as well as the admissibility of a cassation appeal against that court's judgment, following which the appellant could appeal to the Supreme Court directly: *no violation*.

WARSICKA v. Poland, 2065/03, No. 93

Failure by domestic courts to give reasons for their decisions: *violation*.

TATISHVILI v. Russia, 1509/02, No. 94

Substantial delays (totalling almost three years) caused by a court error concerning the nature of the claim and a conflict of jurisdiction: *violations*.

GHEORGHE v. Romania, 19215/04, No. 95

Participation of the Rapporteur in the deliberations of the adjudicating panel of the Audit Court: *inadmissible*.

TEDESCO v. France, 11950/02, No. 97

Failure to communicate to the applicant decisions and documents sent by the public prosecutor to the court and a note from the judge to the court of appeal: *violation*.

FERREIRA ALVES v. Portugal (n° 3), 25053/05, No. 98

Failure by a court of appeal to examine one of the applicants' main grounds of appeal and one based on an alleged violation of the Convention: *violation*.

WAGNER and J.M.W.L. v. Luxembourg, 76240/01, No. 98

Grant of legal aid for proceedings before the Court of Cassation after the time-limit for lodging submissions had expired: *violation*.

SAOUD v. France, 9375/02, No. 101

Arbitrary findings of the domestic courts: *violation*.

KHAMIDOV v. Russia, 72118/01, No. 102

Summary rejection of application for leave to appeal to the Court of Cassation: *no violation (case referred to the Grand Chamber)*.

GOROU v. Greece (n° 2), 12686/03, No. 102

Lack of impartiality of the Supreme Court; failure to enforce judgments and administrative decisions for the restitution of property: *violations*.

DRIZA v. Albania, 33771/02, No. 102  
RAMADHI and five Others v. Albania, 33222/02, No. 102

Conflicting decisions of a supreme court: *violation*.

BEIAN v. Romania (n° 1), 30658/05, No. 103

### **Adversarial trial**

Failure to communicate the opinion of the court's medical expert: *violation*.

AUGUSTO v. France, 71665/01, No. 93

Failure to communicate to the applicant decisions and documents sent by the public prosecutor to the court and a note from the judge to the court of appeal: *violation*.

FERREIRA ALVES v. Portugal (n° 3), 25053/05, No. 98

### **Equality of arms**

Participation of the Government Commissioner in the deliberations of a regional audit board: *violation*.

TEDESCO v. France, 11950/02, No. 97

Anti-nuclear association faced with two opponents - the State and a multinational - when attempting to have authorisation to enlarge a nuclear site set aside: *no violation*.

COLLECTIF NATIONAL D'INFORMATION ET D'OPPOSITION À L'USINE MELOX - COLLECTIF STOP MELOX ET MOX v. France, 75218/01, No. 98

Outcome of pending civil litigation affected by statutory amendment favourable to the State and contrary to the applicants' interests: *violation*.

SCM SCANNER DE L'OUEST LYONNAIS and Others v. France, 12106/03, No. 98

Court's findings based on expert opinion of the employees of the defendant party: *violation*.

SARA LIND EGGERTSDÓTTIR v. Iceland, 31930/04, No. 99

### **Public hearing**

Lack of public hearing in proceedings for the imposition of preventive measures: *violation*.

BOCELLARI and RIZZA v. Italy, 399/02, No. 102

### **Reasonable time**

Substantial delays (totalling almost three years) caused by a court error concerning the nature of the claim and a conflict of jurisdiction: *violations*.

GHEORGHE v. Romania, 19215/04, No. 95

Major financial implications of criminal proceedings on the professional activity of the applicants and their companies: *violation*.

DE CLERCK v. Belgium, 34316/02, No. 100

### **Independent and impartial tribunal**

Impartiality of Constitutional Court judge who had acted as legal expert of the applicant's opponent in the civil proceedings at first instance: *violation*.

ŠVARC and KAVNIK v. Slovenia, 75617/01, No. 94

Rapporteur's presence at the deliberations of a regional audit board: *violation*.

TEDESCO v. France, 11950/02, No. 97

Lack of impartiality of a Supreme Court judge whose son had been expelled from a school run by one of the parties to the dispute: *violation*.

TOCONO and PROFESORII PROMETEIȘTI v. Moldova, 32263/03, No. 98

President of a court of appeal's intervention in order to influence proceedings in line with the report of a judicial inspector who was answerable to both the Minister of Justice and the presidents of the courts of appeal: *violation*.

HIRSCHHORN v. Romania, 29294/02, No. 99

Court's findings based on expert opinion of the employees of the defendant party: *violation*.

SARA LIND EGGERTSDÓTTIR v. Iceland, 31930/04, No. 99

### ***Article 6(1) [criminal]***

#### **Applicability**

Gravity of an order for three days' administrative detention: *Article 6 applicable*.

ZAICEVS v. Latvia, 65022/01, No. 99

Proceedings resulting in the demolition of a house built without planning permission: *Article 6 applicable*.

HAMER v. Belgium, 21861/03, No. 102

#### **Fair hearing**

Obligation for the registered keeper of a vehicle to provide information identifying the driver where a road-traffic offence is suspected: *no violation*.

O'HALLORAN and FRANCIS v. United Kingdom, 15809/02 and 25624/02, No. 98

Failure to afford a defendant in administrative proceedings the guarantees available in criminal proceedings: *no violation*.

MAMIDAKIS v. Greece, 35533/04, No. 93

Request for annulment by prosecutor resulting in quashing of applicant's acquittal without any new evidence: *violation*.

BUJNIȚA v. Moldova, 36492/02, No. 93

Applicant not served with written submissions in which complainant merely reproduced the Public Prosecutor's arguments: *no violation*.

VERDU VERDU v. Spain, 43432/02, No. 94

Court of Cassation ruling that a ground of appeal based on the right to a fair trial was inadmissible: *violation*.

PERLALA v. Greece, 17721/04, No. 94

Failure by a court to address the defendants' submissions and arguments when imposing an administrative fine: *violation*.

BOLDEA v. Romania, 19997/02, No. 94

Use in evidence at trial of a recording of a conversation obtained by a body-mounted listening device and of a list of the telephone calls made: *no violation*.

HEGLAS v. Czech Republic, 5935/02, No. 95

Restrictions on access to case file in lustration proceedings resulting in politician's temporary disqualification from public office: *violation*.

MATYJEK v. Poland, 38184/03, No. 96

Partial disclosure on appeal in criminal proceedings of evidence in respect of which a public-interest immunity certificate had been issued: *no violation*.

BOTMEH and ALAMI v. United Kingdom, 15187/03, No. 98

Use at trial of statements obtained from the accused and witnesses through torture: *violation*.  
HARUTYUNYAN v. Armenia, 36549/03, No. 98

### **Equality of arms**

Presence of a member of the State prosecutor's office at an information meeting for members of the jury: *no violation*.

CORCUFF v. France, 16290/04, No. 101

### **Public hearing**

Authorities' failure to provide regular transportation and information to the public at a trial held in a remote prison: *violation*.

HUMMATOV v. Azerbaijan, Nos 9852/03 and 13413/04, No. 102

### **Independent and impartial tribunal**

Refusal of a request by the defendant for the record to indicate that an unlawful exchange had taken place between the advocate-general and members of the jury during a break in his trial at the assize court: *violation*.

FARHI v. France, 17070/05, No. 93

Tenuous difference between the role of a professional judge in deciding on the extension of a defendant's detention and her role in assessing whether to endorse the jury's verdict: *violation*.

EKEBERG and others v. Norway, 11106/04 etc., No. 99

Impartiality of a court of appeal when two of the judges who ruled that the reproduction in a newspaper of certain passages from a novel was defamatory had already held the passages to be defamatory in previous proceedings against the author and publisher: *no violation*.

LINDON, OTCHAKOVSKY-LAURENS and JULY v. France, 21279/02 and 36448/02, No. 101

### **Tribunal established by law**

Allegation by the applicant that the German courts had no jurisdiction to try him for serious offences, including genocide, committed in Bosnia: *no violation*.

JORGIC v. Germany, 74613/01, No. 99

### ***Article 6(2)***

### **Presumption of innocence**

Imposition of a confiscation order in respect of offences of which the applicant had been acquitted: *violation*.

GEERINGS v. Netherlands, 30810/03, No. 95

Administrative courts' interpretation of judgment by criminal court acquitting the applicant on the benefit of the doubt: *violation*.

VASSILIOS STAVROPOULOS v. Greece, 35522/04, No. 100

### ***Article 6(3)(b)***

### **Adequate time and facilities**

Applicant allowed only a few hours, without contact with the outside world, for the preparation of his defence: *violation*.

GALSTYAN v. Armenia, 26986/03, No. 102

### *Article 6(3)(c)*

#### **Defence through legal assistance**

Lack of legal assistance during police custody: *no violation (case referred to the Grand Chamber)*.  
SALDUZ v. Turkey, 36391/02, No. 100

Interception of a private telephone conversation between an accused taking part in a hearing by videoconference and his lawyer: *violation*.  
ZAGARIA v. Italy, 58295/00, No. 102

## **ARTICLE 7**

### *Article 7(1)*

#### **Nullum crimen sine lege**

Conviction for entering defence area unmarked on official maps: *no violation*.  
CUSTERS, DEVEAUX and TURK v. Denmark, 11843/03, 11847/03 and 11849/03, No. 97

Private-sector employees convicted of accepting bribes when under the wording of the Criminal Code at the material time the offence could only be committed by a public servant or a person working for a State-owned company: *violation*.  
DRAGOTONIU and MILITARU-PIDHORNI v. Romania, 77193/01, 77196/01, No. 97

Allegation by the applicant that the definition of the offence of genocide used by the domestic courts was unduly wide: *no violation*.  
JORGIC v. Germany, 74613/01, No. 99

## **ARTICLE 8**

#### **Applicability**

Mother living with her adopted daughter since the date of the foreign adoption order: *Article 8 applicable*.  
WAGNER and J.M.W.L. v. Luxembourg, 76240/01, No. 98

#### **Private life**

Requirement of father's consent for the continued storage and implantation of fertilised eggs: *no violation*.  
EVANS v. United Kingdom, 6339/05, No. 96

Use in evidence of a recording of a conversation obtained by a body-mounted listening device and of a list of the telephone calls made: *violations*.  
HEGLAS v. Czech Republic, 5935/02, No. 95

Refusal to perform a therapeutic abortion despite risks of serious deterioration of the mother's eyesight: *violation*.  
TYSIAC v. Poland, 5410/03, No. 95

Monitoring of telephone communications by the authorities in the absence of a prosecutor's warrant against a named suspect or a legislative framework affording adequate safeguards against arbitrariness: *violation*.  
DUMITRU POPESCU v. Romania (N<sup>o</sup>2), 71525/01, No. 96



Civil servant's office sealed off and searched following a letter he had published in the press criticising the chief prosecutor: *violation*.

PEEV v. Bulgaria, 64209/01, No. 99

Police providing, in absence of regulatory framework, technical assistance to an individual who wished to record his conversations with the applicant: *violation*.

VAN VONDEL v. the Netherlands, 38258/03, No. 101

Failure by the domestic courts to protect the applicant's reputation in defamation proceedings following the publication of a letter accusing him of acts tantamount to a criminal offence: *violation*.

PFEIFER v. Austria, 12556/03, No. 102

Inability to bring a paternity suit as a result of an absolute time-bar that operated despite the applicant's lack of knowledge of the relevant facts: *violation*.

PHINIKARIDOU v. Cyprus, 23890/02, No. 103

### **Private and family life**

Alleged inability of members of a family to regularise their immigration status: *striking out*.

SISOJEVA and Others v. Latvia, 60654/00, No. 93

Refusal to grant artificial insemination facilities to enable a serving prisoner to father a child: *violation*.

DICKSON v. United Kingdom, 44362/04, No. 103

Failure by the applicants, against whom deportation orders had been made, to act upon respondent Government's proposals to regularise their immigration status: *striking out*.

CHEVANOVA v. Latvia, 58822/00, No. 103

KAFTAILOVA v. Latvia, 59643/00, No. 103

Unlawful expulsion of applicant, preventing relationship with family and new-born child: *violation*.

MUSA and Others v. Bulgaria, 61259/00, No. 93

Prohibition of long-term family visits to detained applicant and his subsequent deportation: *violation*.

ESTRIKH v. Latvia, 73819/01, No. 93

Failure by the domestic authorities to comply with orders of the administrative courts setting aside concessions to work a gold mine: *violation*.

LEMKE v. Turkey, 17381/02, No. 98

Dawn raid of the applicant's home by masked and armed police officers in order to notify charges and prison administration's refusal to permit visits from his wife: *violations*.

KUČERA v. Slovakia, 48666/99, No. 99

Refusal to register the forename "Axl" even though other requests to take that name had been granted: *violation*.

JOHANSSON v. Finland, 10163/02, No. 100

Failure to introduce implementing legislation to enable a transsexual to undergo gender-reassignment surgery and change his gender identification in official documents: *violation*.

L. v. Lithuania, 27527/03, No. 100

Ten-year residence prohibition imposed on juvenile delinquent: *violation (case referred to the Grand Chamber)*.

MASLOV v. Austria, 1638/03, No. 100

Conjecture by court hearing an application for access that the child had been abused by the applicant: *violation*.

SANCHEZ CARDENAS v. Norway, 12148/03, No. 101

### **Family life**

Refusal to enforce a full adoption order by a foreign court in favour of a single woman: *violation*.

WAGNER and J.M.W.L. v. Luxembourg, 76240/01, No. 98

Return of a child to its father in the United States under the Hague Convention on the Civil Aspects of International Child Abduction: *no violation*.

MAUMOUSSEAU and WASHINGTON v. France, 39388/05, No. 103

Remand prisoner prevented from bidding farewell to his dying father on the telephone in any meaningful way: *violation*.

LIND v. Russia, 25664/05, No. 103

Effects of adoption of an adult by the mother's partner: *violation*.

EMONET and Others v. Switzerland, 39051/03, No. 103

### **Expulsion**

Lack of procedural safeguards in deportation proceedings: *violation*.

LIU AND LIU v. Russia, 42086/05, No. 103

### **Home**

Unjustified search and seizure at lawyer's home without safeguards: *violation*.

SMIRNOV v. Russia, 71362/01, No. 98

Dawn raid of the applicant's home by masked and armed police officers in order to notify charges and prison administration's refusal to permit visits from his wife: *violations*.

KUČERA v. Slovakia, 48666/99, No. 99

### **Correspondence**

Minor disciplinary penalty for breach of requirement to conduct correspondence through prison administration: *no violation*.

PUZINAS v. Lithuania (no. 2), 63767/00, No. 93

Interception of prisoners' letters to their lawyer: *violation*.

EKINCI and AKALIN v. Turkey, 77097/01, No. 93

Monitoring of a State employee's telephone, e-mail and internet usage without a statutory basis: *violation*.

COPLAND v. United Kingdom, 62617/00, No. 96

Refusal, on the basis of a ministerial circular, to forward a prisoner's letter to a fellow prisoner and definition of the notion of "prisoner correspondence" depending on its content: *violation*.

FRÉROT v. France, 70204/01, No. 98

Lack of sufficient safeguards in a law allowing the use of secret surveillance measures: *violation*.  
ASSOCIATION FOR EUROPEAN INTEGRATION AND HUMAN RIGHTS AND EKIMDZHIEV  
v. Bulgaria, 62540/00, No. 99

Police providing, in absence of regulatory framework, technical assistance to an individual who wished to record his conversations with the applicant: *violation*.  
VAN VONDEL v. the Netherlands, 38258/03, No. 101

Failure to comply with procedural safeguards in search and seizure of electronic data on a lawyer's computer system: *violation*.  
WIESER AND BICOS BETEILIGUNGEN GMBH v. Austria, 74336/01 N° 101

## ARTICLE 9

### **Freedom of thought, conscience and religion**

Refusal to grant full exemption from instruction in Christianity, religion and philosophy in State primary schools: *violation*.  
FOLGERØ and Others v. Norway, 15472/02, No. 98

### **Freedom of religion**

Refusal of a work permit to enable a foreign national to work as an imam at a mosque: *striking out*.  
EL MAJJAOUÏ & STICHTUNG TOUBA MOSKEE v. Netherlands, 25525/03, No. 103

Unlawful termination of meeting organised by Jehovah's Witnesses: *violation*.  
KUZNETSOV and Others v. Russia, 184/02, No. 93

Employment terminated on account of religious beliefs: *violation*.  
IVANOVA v. Bulgaria, 52435/99, No. 96

Violent assault on a congregation of Jehovah's Witnesses by a group purporting to support the Orthodox Church and lack of an effective investigation: *violation*.  
97 MEMBERS OF THE GLDANI CONGREGATION OF JEHOVAH'S WITNESSES  
and 4 Others v. Georgia, 71156/01, No. 97

Authorities' refusal to register amendments to the statute of an Orthodox parish which decided to change canonical jurisdiction: *violation*.  
SVYATO-MYKHAYLIVSKA PARAFIYA v. Ukraine, 77703/01, No. 98

### **Manifest religion or belief**

Refusal of a work permit to enable a foreign national to work as an imam at a mosque: *striking out*.  
EL MAJJAOUÏ & STICHTUNG TOUBA MOSKEE v. Netherlands, 25525/03, No. 103

Ban on exercising the ministry unlawfully imposed on a foreign evangelical pastor when his residence permit was renewed: *violation*.  
PERRY v. Latvia, 30273/03, No. 102

## ARTICLE 10

### Freedom of expression

Author and publisher of a novel convicted for defamation of extreme right-wing party and its president; newspaper director convicted for defamation after publishing a petition repeating the impugned passages and protesting against the aforementioned convictions: *no violation*.

LINDON, OTCHAKOVSKY-LAURENS and JULY v. France, 21279/02 and 36448/02, No. 101

Conviction of a journalist for the publication of a diplomatic document on strategy classified as confidential: *no violation*.

STOLL v. Switzerland, 69698/01, No. 103

Newspaper closure without detailed reason or identification of which published phrases threatened national security and territorial integrity: *violation*.

KOMMERSANT MOLDOVY v. Moldova, 41827/02, No. 93

Applicant ordered to pay compensation for having circulated defamatory letter: *violation*.

KWIECIEŃ v. Poland, 51744/99, No. 93

Conviction for publishing the declarations of an armed terrorist group in a daily newspaper: *no violation*.

FALAKAOĞLU and SAYGILI v. Turkey, 22147/02 and 24972/03, No. 93

Civil defamation on account of criticism against a government-appointed expert who had made provocative statements himself: *violation*.

ARBEITER v. Austria, 3138/04, No. 93

Injunction restraining a parent from repeating criticism he had made of schoolteachers' conduct: *violation*.

FERIHUMER v. Austria, 30547/03, No. 94

Imposition of a fine for defamatory allegation of plagiarism: *violation*.

BOLDEA v. Romania, 19997/02, No. 94

Injunction restraining a newspaper from printing defamatory material purportedly based on an expert opinion when it was in fact based on a press release by political opponents: *no violation*.

STANDARD VERLAGSGESELLSCHAFT MBH v. Austria (No. 2), 37464/02, No. 94

Orders to pay compensation and costs as a result of a newspaper article identifying a leading industrialist as being on a list of householders suspected of contravening local regulations: *violation*.

TØNSBERGS BLAD AS and HAUKOM v. Norway, 510/04, No. 95

Elected councillors and newspaper editor found guilty of libel and defamation for having asserted that the local council had ignored public opinion: *violation*.

LOMBARDO and Others v. Malta, 7333/06, No. 96

Ban on Kurdish production of a play in municipal buildings: *violation*.

ULUSOY and Others v. Turkey, 34797/03, No. 97

Lack of a distinction between statements of fact and value judgments in domestic law at the material time: *violation*.

GORELISHVILI v. Georgia, 12979/04, No. 98

Order requiring a magazine to issue a statement explaining that a photograph of a murdered prefect had been published without the family's consent: *no violation*.

HACHETTE FILIPACCHI ASSOCIES v. France, 71111/01, No. 98

Convictions of journalists for using and reproducing material from a pending criminal investigation in a book: *violation*.

DUPUIS and Others v. France, 1914/02, No. 98

Conviction of a journalist for defamation in respect of an article setting out allegations by a man on trial who sought to use the press to persuade the public of his innocence: *violation*.

ORMANNI v. Italy, 30278/04, No. 99

Unlawful dismissal of a civil servant following a search of his office in apparent retaliation for a letter he had published in the press criticising the chief prosecutor: *violation*.

PEEV v. Bulgaria, 64209/01, No. 99

Refusal to revise a judgment prohibiting a television commercial from being broadcast which had previously given rise to a finding of a violation of Article 10 by the European Court of Human Rights: *violation*.

VEREIN GEGEN TIERFABRIKEN SCHWEIZ (VGT) v. Switzerland, 3272/02, No. 101

Failure to give reasons for refusing to grant a broadcasting licence and lack of judicial review of that decision: *violation*.

GLAS NADEZHDA EOOD and ELENKOV v. Bulgaria, 14134/02 No 101

Criminal conviction of a patient for defamation of a plastic surgeon following the publication in the tabloid press of articles about her case: *violation*.

KANELLOPOULOU v. Greece, 28504/05, No. 101

Detention of a journalist with a view to compelling him to disclose his source of information: *violation*.

VOSKUIL v. Netherlands, 64752/01, No. 102

Search and seizure operations carried out at the home and office of a journalist suspected of corruption of a European Union official: *violation*.

TILLACK v. Belgium, 20477/05, No. 102

Conviction for defamation of a mayor: *violation*.

LEPOJIĆ v. Serbia, 13909/05, No. 102

Conviction of a lawyer for triggering a press campaign about a *sub judice* case by making statements and trial documents available: *violation*.

FOGLIA v. Switzerland, 35865/04, No. 103

### **Freedom to impart information**

Convictions of journalists for using and reproducing material from a pending criminal investigation in a book: *violation*.

DUPUIS and Others v. France, 1914/02, No. 98

## **ARTICLE 11**

### **Freedom of peaceful assembly**

Unlawful administrative penalty imposed for breach of rules on holding demonstrations: *violation*.

MKRTCHYAN v. Armenia, 6562/03, No. 93

Break-up of a sit-in on a public highway which prisoners' relatives had been holding on a weekly basis for more than three years: *no violation*.

ÇİLOĞLU and Others v. Turkey, 73333/01, No. 95

Unlawful refusal to grant permission for a march and meetings to protest against homophobia: *violation*.

BĄCZKOWSKI and Others v. Poland, 1543/06, No. 97

Dispersal of a peaceful demonstration for failure to give prior notice to the police: *violation*.

BUKTA and Others v. Hungary, 25691/04, No. 99

Arbitrary ban on demonstration due to “expected outbreak of terrorist activities”: *violation*.

MAKHMUDOV v. Russia, 35082/04, No. 99

Minority church prevented from worshipping in public: *violation*.

BARANKEVICH v. Russia, 10519/03, No. 99

Imposition of administrative detention on participant in a peaceful demonstration: *violation*.

GALSTYAN v. Armenia, 26986/03, No. 102

### **Freedom of association**

Trade union prevented from expelling a member due to the latter's membership of political party advocating views incompatible with its own: *violation*.

ASSOCIATED SOCIETY OF LOCOMOTIVE ENGINEERS & FIREMEN (ASLEF) v. United Kingdom, 11002/05, No. 94

Repeated delays by authorities in registering an association: *violation*.

RAMAZANOVA and Others v. Azerbaijan, 44363/02, No. 94

Bad-faith denial of re-registration, resulting in the applicant association's loss of legal status: *violation*.

CHURCH OF SCIENTOLOGY MOSCOW v. Russia, 18147/02, No. 96

Statutory ban on financing of a French political party by a foreign political party: *no violation*.

BASQUE NATIONALIST PARTY AND IPPARALDE - REGIONAL ORGANISATION v. France, 71251/01, No. 98

Refusal to register association on the ground that its aims were “political” and incompatible with the Constitution: *violation*.

ZHECHEV v. Bulgaria, 57045/00, No. 98

Arbitrary ban on demonstration due to “expected outbreak of terrorist activities”: *violation*.

MAKHMUDOV v. Russia, 35082/04, No. 99

Refusal by courts to register an association on the basis of mere suspicion about the founders' real intentions and future actions: *violation*.

BEKIR-OUSTA AND OTHERS v. Greece, 35151/05, No. 101

Refusal to register an association solely on the basis of a suspected anti-constitutional aim that did not appear in its statute: *violation*.

BOZGAN v. Romania, 35097/02, No. 101

## ARTICLE 13

### Effective remedy

Application for a stay of execution of a deportation order: *no violation*.

SALAH SHEEKH v. Netherlands, 1948/04, No. 93

No judicial review possible against an order withdrawing a residence permit on grounds of national security: *violation*.

MUSA and Others v. Bulgaria, 61259/00, No. 93

Denial of effective domestic remedy in respect of ill-treatment by the police: *violation*.

CHITAYEV and CHITAYEV v. Russia, 59334/00, No. 93

Lack of a remedy with automatic suspensive effect against an order refusing an asylum seeker held in an airport waiting area entry to French territory and requiring his removal: *violation*.

GEBREMEDHIN [GABERAMADHIEN] v. France, 25389/05, No. 96

Belated quashing of an unlawful refusal to grant permission for a march and meetings to protest against homophobia: *violation*.

BĄCZKOWSKI and Others v. Poland, 1543/06, No. 97

Low level of compensation award by the domestic court in a length-of-proceedings case: *no violation*.

DELLE CAVE and CORRADO v. Italy, 14626/03, No. 98

Lack of domestic remedy enabling a prisoner to challenge a refusal to forward correspondence: *violation*.

FRÉROT v. France, 70204/01, No. 98

Complaint of length of criminal proceedings – whether an effective remedy existed in Belgium: *violation*.

DE CLERCK v. Belgium, 34316/02, No. 100

Applicants' inability to enforce awards of compensation by courts or administrative bodies in the absence of adequate procedures and statutory framework: *violations*.

DRIZA v. Albania, 33771/02, No. 102

RAMADHI and five Others v. Albania, 33222/02, No. 102

## ARTICLE 14

### Discrimination (Article 2)

Failure by the authorities to hold an effective investigation into a racist killing or to charge the attackers with a racially motivated offence: *violation*.

ANGELOVA and ILIEV v. Bulgaria, 55523/00, No. 99

### Discrimination (Article 3)

Failure to carry out an effective investigation into racist attack on a member of the Roma: *violation*.

ŠEČIĆ v. Croatia, 40116/02, No. 97

### **Discrimination (Articles 3 and 9)**

Comments and attitudes of authorities on being notified of a violent assault on a congregation of Jehovah's Witnesses: *violation*.

97 MEMBERS OF THE GLDANI CONGREGATION OF JEHOVAH'S WITNESSES  
and 4 Others v. Georgia, 71156/01, No. 97

### **Discrimination (Articles 3 and 13)**

Law enforcement agents' failure to investigate possible racial motives behind ill-treatment of Roma at police station, combined with their attitude during the investigation: *violation*.

COBZARU v. Romania, 48254/99, No. 99

### **Discrimination (Article 8)**

Refusal to recognise as valid in domestic law a full adoption order by a foreign court: *violation*.

WAGNER and J.M.W.L. v. Luxembourg, 76240/01, No. 98

### **Discrimination (Article 11)**

Possibility that a municipal authority's refusal to grant permission to protest against homophobia was influenced by the mayor's publicly expressed views: *violation*.

BĄCZKOWSKI and Others v. Poland, 1543/06, No. 97

Statutory obligation for Freemasons to declare their membership when applying for regional authority posts: *violation*.

GRANDE ORIENTE D'ITALIA DI PALAZZO GIUSTINIANI v. Italy (No. 2), 26740/02, No. 97

### **Discrimination (Article 1 of Protocol No. 1)**

Applicant's inability to be affiliated to the farmers' social-security scheme on account of his nationality: *violation*.

LUCZAK v. Poland, 77782/01, No. 102

Difference in treatment between persons in the same position as a result of conflicting decisions by the Supreme Court: *violation*.

BEIAN v. Romania (No. 1), 30658/05, No. 103

### **Discrimination (Article 2 of Protocol No. 1)**

Placement of Roma gypsy children in "special" schools: *violation*.

D.H. and Others v. Czech Republic, 57325/00, No. 102

## **ARTICLE 34**

### **Victim**

Association of Masonic lodges complaining of statutory obligation for Freemasons to declare their membership when applying for positions of high responsibility: *victim status upheld*.

GRANDE ORIENTE D'ITALIA DI PALAZZO GIUSTINIANI v. Italy (No. 2), 26740/02, No. 97

Low level of compensation award by the domestic court in a length-of-proceedings case: *victim status upheld*.

DELLE CAVE and CORRADO v. Italy, 14626/03, No. 98



Association could claim to be directly affected by a law which allows the use of secret surveillance measures: *victim status upheld*.

ASSOCIATION FOR EUROPEAN INTEGRATION AND HUMAN RIGHTS AND EKIMDZHIEV  
v. Bulgaria, 62540/00, No. 99

State-owned company operating with legal and financial independence: *victim status upheld*.

ISLAMIC REPUBLIC OF IRAN SHIPPING LINES v. Turkey, 40998/98, No. 103

Compensation for the length of bankruptcy proceedings and the civil and political disqualifications resulting from the bankruptcy order: *inadmissible*.

ESPOSITO v. Italy, 35771/03, No. 102

### **Hinder exercise of the right of petition**

Police questioning touching on an application to the Court after the applicant was interviewed on Russian television: *no violation*.

SISOJEVA and Others v. Latvia, 60654/00, No. 93

Refusal by penitentiary officials to send an application to the ECHR on the grounds of alleged non-exhaustion of domestic remedies: *violation*.

NURMAGOMEDOV v. Russia, 30138/02, No. 98

Lack of appropriate regulations and deficiencies in the organisation of the Government Agent's activity resulting in the State's failure to comply promptly with a Rule 39 measure: *violation*.

PALADI v. Moldova, 39806/05, No. 99

Prosecutor-General threatens Bar member with criminal investigation for having made "false" human rights allegations to international organisations: *violation*.

COLIBABA v. Moldova, 29089/06, No. 101

## **ARTICLE 35**

### ***Article 35(1)***

#### **Exhaustion of domestic remedy (Czech Republic)**

Applicants not required by highest national court to exhaust the remedies the respondent Government alleged they should have used: *preliminary objection dismissed*.

D.H. and Others v. Czech Republic, 57325/00, No. 102

#### **Exhaustion and effectiveness of domestic remedy (Italy)**

Delays in payment of compensation awarded by the domestic court in a length-of-proceedings case: *objection of failure to exhaust domestic remedies (execution proceedings) dismissed*.

DELLE CAVE and CORRADO v. Italy, 14626/03, No. 98

Knowledge of change in the case-law of the Court of Cassation could not be assumed until six months after the relevant decision was lodged with the registry: *preliminary objection dismissed*.

PROVIDE S.R.L. v. Italy, 62155/00, No. 99

#### **Effective domestic remedy (France)**

Decision concerning deportation when there was a risk of treatment proscribed by Article 3 - remedy with no suspensive effect: *preliminary objection dismissed*.

SULTANI v. France, 45223/05, No. 100

Remedy under the Judicature Code for breach of duty by the police: *preliminary objection dismissed*.  
SAOUD v. France, 9375/02, No. 101

### **Effective domestic remedy (Slovenia)**

Effectiveness of new domestic remedy concerning length of judicial proceedings: *inadmissible*.  
GRZINČIČ v. Slovenia, 26867/02, No. 97

### **Six month period**

Date when time starts to run for the purposes of the six-month time-limit in cases of consecutive periods of pre-trial detention: *violation*.

SOLMAZ v. Turkey, 27561/02, No. 93

Government's argument that no new obligation to investigate unlawful killings arose as more than six months had passed since the original investigation had ended: *preliminary objection dismissed*.  
BRECKNELL v. United Kingdom, 32457/04, No. 102

### ***Article 35(3)***

### **Competence *ratione temporis***

Acts of torture and death prior to date when Court acquired jurisdiction *ratione temporis*, but trial after that date: *partial jurisdiction (procedural obligations)*.

TEREN AKSAKAL v. Turkey, 51967/99, No. 100

## **ARTICLE 37**

### ***Article 37(1)***

### **Matter resolved**

Failure by the applicants, against whom deportation orders had been made, to act upon respondent Government's proposals to regularise their immigration status: *striking out of Article 8 complaint*.

CHEVANOVA v. Latvia, 58822/00, No. 103

KAFTAILOVA v. Latvia, 59643/00, No. 103

Matter before Court resolved by successful intervening application for a work permit: *striking out*.

EL MAJJAOUÏ & STICHTUNG TOUBA MOSKEE v. Netherlands, 25525/03, No. 103

### **Continued examination not justified**

Failure by the applicants to act upon respondent Government's proposals to regularise their immigration status: *striking out*.

SISOJEVA and Others v. Latvia, 60654/00, No. 93

Burning of houses belonging to Roma villagers and authorities' failure to prevent the attack and to carry out an adequate criminal investigation: *striking out*.

KALANYOS and Others v. Romania, 57884/00, No. 96

GERGELY v. Romania, 57885/00, No. 96

Applicant's failure to keep the Court informed of developments relevant to her application: *admissible case struck out*.

OYA ATAMAN v. Turkey, 47738/99, No. 97

### **Special circumstances requiring further examination**

Temporary arrangements for asylum seeker insufficient to “resolve matter”: *no reason to strike out*.  
SALAH SHEEKH v. Netherlands, 1948/04, No. 93

## **ARTICLE 38**

### **Furnish all necessary facilities**

Refusal by Government to disclose documents from ongoing investigation into the disappearance of the applicant's husband: *failure to comply with Article 38*.

BAYSAYEVA v. Russia, 74237/01, No. 96

Refusal by Government to disclose documents from ongoing investigation into an abduction and killing by servicemen or into allegations of harassment of the applicants: *failure to comply with Article 38*.

AKHMADOVA and SADULAYEVA v. Russia, 40464/02, No. 97

Refusal by Government to disclose documents from ongoing investigation into an abduction and killing by servicemen or into allegations of harassment of the applicants: *failure to comply with Article 38*.

BITIYEVA and X v. Russia, 57953/00 and 37392/03, No. 98

Refusal by Government to disclose documents from ongoing investigations into the disappearance of the applicant's relatives in Chechnya during military operations: *failure to comply with Article 38*.

KUKAYEV v. Russia, 29361/02, No. 102  
KHAMILA ISAYEVA v. Russia, 6846/02, No. 102

## **ARTICLE 41**

### **Just satisfaction**

Compensation for unlawful occupation and seizure of land by the State (*restitutio in integrum*).  
SCORDINO v. Italy (No. 3), 43662/98, No. 95

Just satisfaction in respect of State's failure to enact implementing legislation: *State to introduce relevant legislation within set time frame or, in default, pay a specified amount in respect of pecuniary damage*.

L. v. Lithuania, 27527/03, No. 100

Request by applicants for order requiring an immediate halt to criminal proceedings which the Court had found to be unduly protracted: *request for an injunction refused*.

DE CLERCK v. Belgium, 34316/02, No. 100

### **Execution of a judgment**

Continued detention pending the outcome of criminal proceedings that have been under way for almost thirteen years: *violation to cease either by an early end to the trial or the applicant's release*.

YAKIŞAN v. Turkey, 11339/03, No. 95

Pecuniary damage: *no award made as it was open to the applicant to bring a civil claim in damages following a finding by the criminal court that he had in fact sustained pecuniary damage*.

PAUDICIO v. Italy, 77606/01, No. 97

Indication of most appropriate form of redress (finding of a breach of Article 6 § 1): *annulment of court decision to discontinue proceedings for non-payment of its fees and resumption of the proceedings.*

MEHMET and SUNA YİĞİT v. Turkey, 52658/99, No. 99

Indication of most appropriate form of redress (interference not “in accordance with the law”): *bring domestic law into line with Convention.*

TAN v. Turkey, 9460/03, No. 99

## ARTICLE 46

### **Execution of a judgment – General measures**

Need for general measures not demonstrated in view of repeal of impugned legislation and the recommendations of the Committee of Ministers: *request dismissed.*

D.H. and Others v. Czech Republic, 57325/00, No. 102

General measures in order to prevent illegal occupation of land and to compensate owners for unlawful dispossession by the State.

SCORDINO v. Italy (No. 3), 43662/98, No. 95

Indication of an appropriate form of redress (for a violation of Article 2 of Protocol No. 1): *measures to make national education system and relevant domestic law Convention compliant.*

HASAN and EYLEM ZENGİN v. Turkey, 1448/04, No. 101

Applicants' inability to obtain enforcement of judgments or administrative decisions for the restitution of property and/or payment of compensation owing to systemic failings in domestic legal order: *indication of appropriate statutory, administrative and budgetary measures.*

DRIZA v. Albania, 33771/02, No. 102

RAMADHI and five Others v. Albania, 33222/02, No. 102

Urgent improvement of prison conditions: *appropriate conditions of detention and adequate medical treatment for prisoners requiring special care on account of their health.*

DYBEKU v. Albania, 41153/06, No. 103

### **Execution of a judgment – Individual measures**

Request by applicants for order requiring an immediate halt to criminal proceedings which the Court had found to be unduly protracted: *application for an injunction refused.*

DE CLERCK v. Belgium, 34316/02, No. 100

Enforcement of the Human Rights Chamber's decision: *transfer of the applicant to the federal pension fund and payment of EUR 2,000.*

KARANOVIĆ v. Bosnia and Herzegovina, 39462/03, No. 102

## ARTICLE 1 OF PROTOCOL No. 1

### **Possessions**

Setting aside of a trade mark registration: *Article 1 of Protocol No. 1 applicable, no violation.*

ANHEUSER-BUSCH INC. v. Portugal, 73049/01, No. 93

Holiday home whose destruction was only ordered several decades later after it was discovered that it had been built without planning permission: *Article 1 of Protocol No. 1 applicable.*

HAMER v. Belgium, 21861/03, No. 102

## **Peaceful enjoyment of possessions**

Setting aside of a trade mark registration: *Article 1 of Protocol No. 1 applicable, no violation.*  
ANHEUSER-BUSCH INC. v. Portugal, 73049/01, No. 93

State withholding tax refund from applicant company: *violation.*  
INTERSPLAV v. Ukraine, 803/02, No. 93

Refusal to refund election deposit: *violation.*  
RUSSIAN CONSERVATIVE PARTY OF ENTREPRENEURS and Others v. Russia, 55066/00, No. 93

Negation of the applicant company's claim against the State and absence of domestic procedures: *violation.*  
AON CONSEIL ET COURTAGE SA and CHRISTIAN DE CLARENS SA v. France, 70160/01, No. 93

Inability to inherit property situated abroad due to the alleged absence of reciprocal arrangements: *violation.*  
APOSTOLIDI and Others v. Turkey, 45628/99, No. 95

Failure by the authorities to comply with an order for the demolition of a building unlawfully erected close to the applicant's home: *violation.*  
PAUDICIO v. Italy, 77606/01, No. 97

Inability to comply with a final court order to deliver up possession of a building registered as private property of the State: *violation.*  
HIRSCHHORN v. Romania, 29294/02, No. 99

Refusal to expropriate privately-owned land used as public property: *violation.*  
BUGAJNY v. Poland, 22531/05, No. 102

Unlawful occupation and damage caused to the applicant's estate by police units involved in a military operation in Chechnya: *violation.*  
KHAMIDOV v. Russia, 72118/01, No. 102

Applicant's inability to be affiliated to the farmers' social-security scheme on account of his nationality: *violation.*  
LUCZAK v. Poland, 77782/01, No. 102

## **Deprivation of property**

Court order finally annulling, more than thirty years after their lawful acquisition, a title to properties belonging to a foundation set up by a religious minority: *violation.*  
FENER RUM ERKEK LİSESİ VAKFI v. Turkey, 34478/97, No. 93

Final determination of the merits of pending litigation by legislative intervention that deprived the applicants of a pre-existing "asset" forming part of their "possessions": *violation.*  
AUBERT and Others and 8 other cases v. France, 31501/03 etc., No. 93

Financial obligation arising out of the imposition of a heavy fine: *violation.*  
MAMIDAKIS v. Greece, 35533/04, No. 93

Deduction of wages from workers not belonging to any trade union to finance the workers' union's wage monitoring activities: *violation.*  
EVALDSSON and Others v. Sweden, 75252/01, No. 94

Deprivation of property pursuant to legislation aimed at compensating victims of arbitrary expropriations during the communist regime: *no violation (five applications) and violation (four applications)*.

VELIKOVI and Others v. Bulgaria, 43278/98 and Others, No. 95

Compensation for loss of title to land on which the Army had placed landmines refused on grounds of twenty-year continual occupation by the State: *violation*.

ARĪ and Others v. France, 65508/01, No. 96

Failure to take into account all relevant factors, including the decrease in value of the unexpropriated land, when assessing the compensation payable on the expropriation of part of a farm: *violation*.

BISTROVIC v. Croatia, 25774/05, No. 97

Property sold at an undervalue to the holder of the right of pre-emption, in the context of enforcement proceedings: *violation*.

KANALA v. Slovakia, 57239/00, No. 99

Failure to take into account historic value of a building in calculation of compensation due for its expropriation: *violation*.

KOZACIOĞLU v. Turkey, 2334/03, No. 99

Expropriation without compensation owing to a wide interpretation of the legislation on restitution: *violation*.

KALINOVA v. Bulgaria, 45116/98, No. 102

Transfer of land ownership to tenants and compensation determined in disregard of the market value of the land: *violation*.

URBÁRSKA OBEC TRENČIANSKE BISKUPICE v. Slovakia, 74258/01, No. 102

### **Control of the use of property**

Loss of registered land by application of the law on adverse possession: *no violation*.

J.A. PYE (OXFORD) LTD and J.A. PYE (OXFORD) LAND LTD v. United Kingdom, 44302/02, No. 100

Inability to enforce order for the restitution of a listed building because of a moratorium that had been in place for more than twelve years: *violation*.

DEBELIANOVI v. Bulgaria, 61951/00, No. 95

Lengthy retention of lawyer's computer attached as evidence in a criminal case: *violation*.

SMIRNOV v. Russia, 71362/01, No. 98

Compulsory lease of agricultural land at a disproportionately low price: *violation*.

URBÁRSKA OBEC TRENČIANSKE BISKUPICE v. Slovakia, 74258/01, No. 102

Order for the demolition of a holiday home built in woodlands to which a ban on building applied: *no violation*.

HAMER v. Belgium, 21861/03, No. 102

Arbitrary seizure for over a year of a ship and its cargo on suspicion of arms smuggling: *violation*.

ISLAMIC REPUBLIC OF IRAN SHIPPING LINES v. Turkey, 40998/98, No. 103

## ARTICLE 2 OF PROTOCOL No. 1

### **Right to education**

Refusal to grant full exemption from instruction in Christianity, religion and philosophy in State primary schools: *violation*.

FOLGERØ and Others v. Norway, 15472/02, No. 98

Refusal to exempt a State school pupil whose family was of the Alevi faith from mandatory lessons on religion and morals: *violation*.

HASAN and EYLEM ZENGİN v. Turkey, 1448/04, No. 101

### **Respect for parents' religious or philosophical beliefs**

Refusal to exempt a State school pupil whose family was of the Alevi faith from mandatory lessons on religion and morals: *violation*.

HASAN and EYLEM ZENGİN v. Turkey, 1448/04, No. 101

## ARTICLE 3 OF PROTOCOL No. 1

### **Free expression of opinion of people**

Requirement for political parties to obtain at least 10% of the vote in national elections in order to be represented in Parliament: *no violation (case referred to the Grand Chamber)*.

YUMAK and SADAK v. Turkey, 10226/03, No. 93

### **Choice of the legislature**

Requirement for political parties to obtain at least 10% of the vote in national elections in order to be represented in Parliament: *no violation (case referred to the Grand Chamber)*.

YUMAK and SADAK v. Turkey, 10226/03, No. 93

### **Vote**

Entire party list disqualified on account of incorrect information provided by some candidates on it: *violation*.

RUSSIAN CONSERVATIVE PARTY OF ENTREPRENEURS and Others v. Russia, 55066/00, No. 93

### **Stand for election**

Entire party list disqualified on account of incorrect information provided by some candidates on it: *violation*.

RUSSIAN CONSERVATIVE PARTY OF ENTREPRENEURS and Others v. Russia, 55066/00, No. 93

Temporary limitations on the applicant's political rights following the dissolution of his party by the Constitutional Court: *violation*.

KAVAKÇI v. Turkey, 71907/01, No. 96

Disqualification of election candidates because of alleged errors in information they had been required to submit on their employment status and party affiliation: *no violation/violation*.

KRASNOV and SKURATOV v. Russia, 17864/04 and 21396/04, No. 99

Ancillary penalty of removal from office imposed on Member of Parliament on the dissolution of his party: *violation*.

SOBACI v. Turkey, 26733/02, No. 102

## ARTICLE 2 OF PROTOCOL No. 4

### Freedom to choose residence

Refusal by the authorities to register the applicant as resident at her home address: *violation*.  
TATISHVILI v. Russia, 1509/02, No. 94

### Freedom to leave a country

Inability to travel abroad as a result of an entry arbitrarily made in passport: *violation*.  
SISSANIS v. Romania, 23468/02, No. 93

## ARTICLE 4 OF PROTOCOL No. 4

### Prohibition of collective expulsion of aliens

Risk of deportation on a collective flight used to deport illegal immigrants: *deportation would not constitute a violation*.

SULTANI v. France, 45223/05, No. 100

## ARTICLE 2 OF PROTOCOL No. 7

### Right of appeal in criminal matters

No means of challenging an order for administrative detention for contempt of court: *violation*.  
ZAICEVS v. Latvia, 65022/01, No. 99

No clear and accessible right to appeal against a sentence to administrative detention: *violation*.  
GALSTYAN v. Armenia, 26986/03, No. 102

## ARTICLE 4 OF PROTOCOL No. 7

### Ne bis in idem

Applicant prosecuted twice for the same offence: *violation (case referred to the Grand Chamber)*.  
SERGEY ZOLOTUKHIN v. Russia, 14939/03, No. 102



## V. SELECTION OF DECISIONS DELIVERED BY THE COURT IN 2007 <sup>10</sup>

### ARTICLE 1

#### Responsibility of States

Decisions of the High Representative for Bosnia and Herzegovina whose authority derives from UN Security Council Resolutions: *inadmissible*.

BERIĆ and 25 Others v. Bosnia and Herzegovina, 36357/04 etc., No. 101

### ARTICLE 2

#### *Article 2(1)*

#### Life

Proposed deportation to Albania where first applicant alleged his life was at risk because of a blood feud: *inadmissible*.

ELEZAJ and Others v. Sweden, 17654/05, No 100

Doctor's failure to inform applicant that her companion had AIDS: *admissible*.

COLAK and Others v. Germany, 77144/01 and 35493/05, No. 103

#### Positive obligations

State's failure to warn population of a foreseen natural disaster and to protect their lives, health, homes and property: *admissible*.

BUDAYEVA and Others v. Russia, 15339/02 and other applications, No. 96

#### *Article 2(2)*

#### Use of force

Fatal wounding of a demonstrator by a shot fired by a member of the security forces from a jeep that was under attack from a group of demonstrators: *admissible*.

GIULIANI v. Italy, 23458/02, No. 94

### ARTICLE 3

#### Torture

Use by police of threats of ill-treatment to obtain information and a confession from a suspected child kidnapper: *admissible*.

GÄFGEN v. Germany, 22978/05, No. 96

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<sup>10</sup> See the footnote at the beginning of Chapter IV.

### **Inhuman or degrading treatment**

Assault of prison inmates by police in training exercise and conditions of detention: *admissible*.  
DRUZENKO and Others v. Ukraine, 17674/02 and 39081/02, No. 93

Conditions of detention of a terrorist suspect: *inadmissible*.  
SOTIROPOULOU v. Greece, 40225/02, No. 93

Fatally wounded demonstrator run over by a police vehicle: *admissible*.  
GIULIANI v. Italy, 23458/02, No. 94

Order for a prisoner with a short life expectancy to serve a further two years of his sentence before becoming eligible for release on licence: *inadmissible*.  
CEKU v. Germany, 41559/06, No. 95

Repatriation of a child who had been subjected to abuse in Belarus: *inadmissible*.  
GIUSTO, BORNACIN and V. v. Italy, 38972/06, No. 97

Treatment allegedly endured as “war children” born out of the Nazi “*Lebensborn*” scheme and authorities' subsequent failure to take any remedial measures: *inadmissible*.  
THIERMANN and Others v. Norway, 18712/03, No. 99

### **Extradition**

Extradition to the United States of a Yemeni national charged with membership of terrorist associations, allegedly risking being subjected to interrogation methods amounting to torture: *inadmissible*.  
AL-MOAYAD v. Germany, 35865/03, No. 94

Alleged risk of being subjected to female genital mutilation in case of extradition to Nigeria: *inadmissible*.  
COLLINS and AKAZIEBIE v. Sweden, 23944/05, No. 95

No immediate risk of extradition of a prisoner who swallowed a knife blade and refused to allow its removal because of a fear of ill-treatment and torture if extradited: *inadmissible*.  
GHOSH v. Germany, 24017/03, No. 98

## **ARTICLE 5**

### *Article 5(1)*

### **Deprivation of liberty**

Coercive detention of a mother for failing to comply with a foreign court order requiring her to return the children of the family to the father: *inadmissible*.  
PARADIS and Others v. Germany, 4065/04, No. 100

### *Article 5(1)(f)*

### **Extradition**

Yemeni national tricked by the US authorities into travelling to Germany, where he was arrested in order to be extradited to the US: *inadmissible*.  
AL-MOAYAD v. Germany, 35865/03, No. 94

## ARTICLE 6

### *Article 6(1) [civil]*

#### **Applicability**

Enforcement of a foreign court's forfeiture order: *Article 6 applicable (civil limb)*.

SACCOCCIA v. Austria, 69917/01, No. 99

Absence of compensation for forced labour under the Nazi regime: *Article 6 inapplicable*.

ASSOCIAZIONE NAZIONALE REDUCI DALLA PRIGIONIA DALL'INTERNAMENTO E DALLA GUERRA DI LIBERAZIONE and 275 Others v. Germany, 45563/04, No. 100

Soldier's inability to challenge decision by the military council to discharge him from service on disciplinary grounds: *Article 6 inapplicable*.

SUKUT v. Turkey, 59773/00, No. 100

Proceedings for awarding a government tender: *Article 6 inapplicable*.

I.T.C. v. Malta, 2629/06, No. 103

#### **Right to a court**

Decision of Italian and French courts to decline jurisdiction to try the merits of a dispute concerning the performance of a contract of employment: *admissible*.

GUADAGNINO v. Italy and France, 2555/03, No. 96

#### **Access to court**

Immunity from suit of members of the Judicial Service Commission in respect of opinions expressed in the exercise of their duties: *inadmissible*.

ESPOSITO v. Italy, 34971/02, No. 96

Dismissal of sole ground of appeal on points of law for want of clarity owing to a failure to present the facts of the case as established by the court of appeal: *admissible*.

REKLOS and DAVOURLIS v. Greece, 1234/05, No. 100

#### **Fair hearing**

Lack of a time-limit for challenging administrative proceedings in the courts: *inadmissible*.

MILLON v. France, 6051/06, No. 100

Introduction of new legislation after the date of an application for the modification of an order when such application was not regarded as a preliminary to court proceedings: *inadmissible*.

PHOCAS v. France, 15638/06, No. 100

### *Article 6(1) [criminal]*

#### **Applicability**

Police warning to a schoolboy for indecent assault on girls at his school: *Article 6 inapplicable*.

R. v. United Kingdom, 33506/05, No. 93

Enforcement of a foreign court's forfeiture order: *Article 6 inapplicable (criminal limb)*.

SACCOCCIA v. Austria, 69917/01, No. 99

### **Fair hearing**

Extradition to the United States of a person allegedly risking indefinite detention without access to a court or a lawyer: *inadmissible*.

AL-MOAYAD v. Germany, 35865/03, No. 94

Conviction allegedly based on evidence obtained through threats of ill-treatment: *admissible*.

GÄFGEN v. Germany, 22978/05, No. 96

Pre-delivery leak and publication in the press of a Supreme Court judgment convicting the applicants: *inadmissible*.

SAIZ OCEJA v. Spain, 74182/01, No. 97

### **Independent and impartial tribunal**

Personal and political animosity between the applicant and the investigating judge and extensive knowledge of the facts and persons concerned in the trial gained by the investigating judge from other activities: *admissible*.

VERA FERNANDEZ-HUIDOBRO v. Spain, 74181/01, No. 97

Pre-delivery leak and publication in the press of a Supreme Court judgment convicting the applicants: *inadmissible*.

SAIZ OCEJA v. Spain, 74182/01, No. 97

### ***Article 6(2)***

### **Presumption of innocence**

Finding by *Conseil d'Etat* of a breach of disciplinary rules on the basis of the factual findings of a criminal court when dismissing charges on the ground that a prosecution was statute barred: *inadmissible*.

MOULLET v. France, 27521/04, No. 100

### ***Article 6(3)***

### **Defence rights**

Inability of an accused to elect summary form of trial: *inadmissible*.

HANY v. Italy, 17543/05, No. 102

## **ARTICLE 7**

### ***Article 7(1)***

### **Nullum crimen sine lege**

Conviction of war crimes in relation to acts committed in 1944: *admissible*.

KONONOV v. Latvia, 36376/04, No. 103

### **Nulla poena sine lege**

Confiscation of land and buildings by a criminal court - despite the owners' acquittal - on the grounds of unlawful construction in a coastal area: *Article 7 applicable - admissible*.

SUD FONDI Srl and Others v. Italy, 75909/01, No. 100

*Article 7(2)*

**General principles of law recognised by civilised nations**

Conviction of war crimes in relation to acts committed in 1944: *admissible*.

KONONOV v. Latvia, 36376/04, No. 103

**ARTICLE 8**

**Private life**

Non-disclosure to applicant of notes kept by his bank: *inadmissible*.

SMITH v. United Kingdom, 39658/05, No. 93

Photograph of new-born baby taken without the consent of the parents: *admissible*.

REKLOS and DAVOURLIS v. Greece, 1234/05, No. 100

Receipt of unsolicited pornographic messages by e-mail and prosecutor's decision not to institute criminal proceedings: *interference, inadmissible*.

MUSCIO v. Italy, 31358/03, No. 102

**Private and family life**

Impossibility to challenge in court a declaration of paternity after expiry of the statutory time-limit: *inadmissible*.

KŇÁKAL v. Czech Republic, 39277/06, No. 93

Psychiatric patient's inability to change her "nearest relative": *friendly settlement*.

M. v. United Kingdom, 30357/03, No. 94

Ban on bringing fresh divorce proceedings within three years of the dismissal of an initial petition no longer applicable owing to the expiry of the relevant period: *inadmissible*.

KARAKAYA (YALÇIN) v. Turkey, 29586/03, No. 98

Use of a chemical substance by a factory situated near a town: *admissible*.

TATAR v. Roumanie, 67021/01, No. 99

Former patients prevented from photocopying medical records: *admissible*.

K.H. and Others v. Slovakia, 32881/04, No. 101

Prohibition under domestic law on the use of ova and sperm from donors for *in vitro* fertilisation: *admissible*.

HALLER and Others v. Austria, 57813/00, No. 102

**Family life**

Ruling by the domestic courts that applicant was not entitled to restitution of bonds pledged by her husband to a creditor: *inadmissible*.

SCHAEFER v. Germany, 14379/03, No. 100

## ARTICLE 9

### **Freedom of religion**

Alleged State intervention in a leadership dispute within a church and consequential loss of property: *admissible*.

HOLY SYNOD OF THE BULGARIAN ORTHODOX CHURCH and Others v. Bulgaria,  
412/03 and 35677/04, No. 97

### **Manifest religion or belief**

Refusal of a residence permit because of allegedly harmful religious activities: *admissible*.

PERRY v. Latvia, 30273/03, No. 93

## ARTICLE 10

### **Freedom of expression**

Disciplinary penalty on remand prisoner for contacting media without prior judicial authorisation: *inadmissible*.

SOTIROPOULOU v. Greece, 40225/02, No. 93

Defamation conviction for public allegations suggesting abuse of power by the Minister of Justice: *inadmissible*.

GRÜNER KLUB IM RATHAUS v. Austria, 13521/04, No. 94

Call-up of reserve officer revoked owing to membership of a political party suspected of disloyalty to the constitutional order: *inadmissible*.

ERDEL v. Germany, 30067/04, No. 94

Conviction for publications inciting hatred towards the Jewish people: *inadmissible*.

IVANOV v. Russia, 35222/04, No. 94

Dismissal of municipal employee for issuing a press release that appeared to vindicate the attacks on the World Trade Centre and the Pentagon: *inadmissible*.

KERN v. Germany, 26870/04, No. 98

Withdrawal from newspaper stands and destruction of an issue containing a politically sensitive article by the applicant on the instructions of the editor-in-chief of the municipally-owned newspaper: *admissible*.

SALIYEV v. Russia, 35016/03, No. 100

Orders dissolving political parties on the grounds that they were the political arm of a terrorist organisation and banning candidates or political groups from standing for election: *admissible*.

HERRI BATASUNA AND BATASUNA v. Spain, 25803/04, 25817/04, No. 103

Dissolution of electoral groups on the grounds that they were continuing the work of a previously dissolved party: *admissible*.

ETXEBERRIA and 3 other cases v. Spain, 35579/03 etc., No. 103

Convictions of newspaper editors for publishing photographs of a person on the point of being arrested to serve a lengthy sentence she had just received for her part in a triple murder: *admissible*.

EGELAND and HANSEID v. Norway, 34438/04, No. 103

## ARTICLE 11

### Freedom of association

Orders dissolving political parties on the grounds that they were the political arm of a terrorist organisation and banning candidates or political groups from standing for election: *admissible*.

HERRI BATASUNA and BATASUNA v. Spain, 25803/04, 25817/04, No. 103

## ARTICLE 13

### Effective remedy

Lack of effective investigation into the State's liability for the damage caused by a foreseen natural disaster: *admissible*.

BUDAYEVA and Others v. Russia, 15339/02 and other applications, No. 96

## ARTICLE 14

### Discrimination (Article 4 § 3 (a) and Article 1 of Protocol No. 1)

Refusal to take work performed in prison into account in calculation of pension rights: *admissible*.

STUMMER v. Austria, 37452/02, No. 101

### Discrimination (Article 9)

Restriction on pastoral activity for lack of theological training, applicable solely to foreign nationals: *admissible*.

PERRY v. Latvia, 30273/03, No. 93

### Discrimination (Article 9 of the Convention and Article 1 of Protocol No. 1)

Obligation on taxpayer to allocate a portion of his income tax to specific beneficiaries without any right to reduce the share payable to each except in the case of the State: *inadmissible*.

SPAMPINATO v. Italy, 23123/04, No. 95

### Discrimination (Article 1 of Protocol No. 1)

Foreign citizen refused admission to farmers' social security scheme: *admissible*.

LUCZAK v. Poland, 77782/01, No. 95

Deprivation of property despite the fact that the immovable property of non-Muslim minorities in Turkey is protected by agreements under international law: *admissible*.

ECUMENICAL PATRIARCHATE [FENER RUM PATRİKLİĞİ] v. Turkey, 14340/05, No. 99

Compensation law excluding from benefits certain categories of forced labourers: *inadmissible*.

ASSOCIAZIONE NAZIONALE REDUCI DALLA PRIGIONIA DALL'INTERNAMENTO E DALLA GUERRA DI LIBERAZIONE and 275 Others v. Germany, 45563/04, No. 100

Refusal to grant father a child bonus in the assessment of his pension rights following introduction, with retrospective effect, of new legislation applicable solely to males: *inadmissible*.

PHOCAS v. France, 15638/06, No. 100

### **Discrimination (Article 3 of Protocol No. 1)**

Inability of Netherlands nationals resident in Aruba to vote in elections to the Netherlands Parliament: *inadmissible*.

SEVINGER and EMAN v. Netherlands, 17173/07 and 17180/07, No. 100

### **ARTICLE 17**

### **Destruction of rights and freedoms**

Conviction for publications inciting hatred towards the Jewish people: *inadmissible*.

IVANOV v. Russia, 35222/04, No. 94

### **ARTICLE 34**

### **Victim**

Lack of victim status of an applicant whose position was to be reviewed by a court of appeal and whose extradition was not, therefore, imminent: *inadmissible*.

GHOSH v. Germany, 24017/03, No. 98

### **Hinder exercise of the right of petition**

Alleged pressure put on prisoners by prison authorities to withdraw their application to the Court: *admissible*.

DRUZENKO and Others v. Ukraine, 17674/02 and 39081/02, No. 93

Extradition allegedly despite the authorities having been notified that the applicant had lodged a Rule 39 request for an interim measure to be indicated by the Court: *inadmissible*.

AL-MOAYAD v. Germany, 35865/03, No. 94

### **ARTICLE 35**

#### *Article 35(1)*

### **Exhaustion and effectiveness of domestic remedy (Belgium)**

Unfair to require an applicant to exhaust a remedy that had only recently been introduced into the legal system following a change in the case-law and had taken six months to acquire sufficient certainty: *preliminary objection dismissed*.

DEPAUW v. Belgium, 2115/04, No. 97

### **Exhaustion of domestic remedy (France)**

Failure to plead appropriate grounds of appeal in proceedings before the Court of Cassation: *inadmissible*.

DOLINER and MAITENAZ v. France, 24113/04, No. 98

### **Exhaustion of domestic remedy (Turkey)**

Failure of Iranian applicants to challenge a decision not to prosecute given in Turkey: *inadmissible*.

MANSUR PAD and Others v. Turkey, 60167/00, No. 99



### **Effective domestic remedy (Czech Republic)**

Effectiveness of new domestic remedies concerning the length of judicial proceedings: *inadmissible*.  
VOKURKA v. Czech Republic, 40552/02, No. 101

### **Effective domestic remedy (France)**

Criminal complaint and application to be joined as a civil party in respect of conditions of pre-trial detention that were incompatible with human dignity: *inadmissible*.  
CANALI v. France, 26744/05, No. 100

### **Effective domestic remedy (Slovenia)**

Effectiveness of a new compensatory remedy concerning length of judicial proceedings: *inadmissible*.  
ŽUNIČ v. Slovenia, 24342/04, No. 101

## ***Article 35(3)***

### **Competence *ratione personae***

Applications concerning acts performed by KFOR and MINUK in Kosovo under the aegis of the UN: *inadmissible*.

BEHRAMI and BEHRAMI v. France, 71412/01, No. 97  
SARAMATI v. France, Germany and Norway, 78166/01, No. 97

Political party not actually affected by contested elections: *inadmissible*.

THE GEORGIAN LABOUR PARTY v. Georgia, 9103/04, No. 97

Applicants' removal from public functions by a decision of the High Representative for Bosnia and Herzegovina whose authority derives from UN Security Council Resolutions: *inadmissible*.

BERIČ and 25 Others v. Bosnia and Herzegovina, 36357/04 etc., No. 101

### **Abuse of right of petition**

Applicant using in his observations offensive expressions against Government's representative: *inadmissible*.

DI SALVO v. Italy, 16098/05, No. 93

Applicants' reliance on forged court documents: *inadmissible*.

BAGHERI and MALIKI v. Netherlands, 30164/06, No. 97

Leader of applicant party apologises to the Court for having distorted information about the Strasbourg proceedings: *Government's objection dismissed*.

THE GEORGIAN LABOUR PARTY v. Georgia, 9103/04, No. 97

Applicants fail to provide crucial information to the Court but disclose contents of friendly-settlement negotiations before it: *inadmissible*.

HADRABOVÁ and Others v. Czech Republic, 42165/02 and 466/03, No. 100

## ***Article 35(4)***

### **Rejection of application at any stage of the proceedings**

Re-examination by the Court of its own motion of a preliminary objection after it had already declared the application admissible: *application inadmissible*.

SAMMUT and VISA INVESTMENTS LIMITED v. Malta, 27023/03, No. 101

## ARTICLE 37

### Article 37(1)

#### Matter resolved

*Ex gratia* payment in respect of pecuniary and non-pecuniary damage caused to the inhabitants of a shanty town by a methane gas explosion at a refuse tip: *striking out*.

YAĞCI and Others v. Turkey, 5974/02, No. 95

General measures, including the introduction of new legislation, taken by State to remedy systemic problem in domestic law: *striking out*.

WOLKENBERG and Others v. Poland, 25525/03, No. 103

WITKOWSKA-TOBOŁA v. Poland, 11208/02, No. 103

#### Continued examination not justified

Opinion of the guardianship judge of the deceased applicant's sole heir advising her, for her own protection, not to pursue the application: *striking out*.

BENAZET v. France, 49/03, No. 93

Applicant's rejection of Government's offer to pay compensation for compulsory resignation from the military on grounds of homosexuality: *striking out*.

MACDONALD v. United Kingdom, 301/04, No. 94

## ARTICLE 1 OF PROTOCOL No. 1

#### Possessions

Absence of compensation for forced labour under the Nazi regime: *inadmissible*.

ASSOCIAZIONE NAZIONALE REDUCI DALLA PRIGIONIA DALL'INTERNAMENTO E DALLA GUERRA DI LIBERAZIONE and 275 Others v. Germany, 45563/04, No. 100

Court orders prohibiting the use and requiring the cancellation of Internet domain names that infringed third-party rights: *inadmissible*.

PAEFFGEN GMBH (I-IV) v. Germany, 25379/04, 21688/05, 21722/05 and 21770/05, No. 100

#### Peaceful enjoyment of possessions

Non-enforcement of a final judgment ordering annulment of a joint venture contract creating an airline company, and reimbursement of investments made: *admissible*.

UNISTAR VENTURES GMBH v. Moldova, 19245/03, No. 94

State's failure to warn population of a foreseen natural disaster and to protect their lives, health, homes and property: *admissible*.

BUDAYEVA and Others v. Russia, 15339/02 and other applications, No. 96

Annulment of original title and registration of property in the name of a foundation which had the use of the property: *admissible*.

ECUMENICAL PATRIARCHATE [FENER RUM PATRİKLİĞİ] v. Turkey, 14340/05, No. 99

### **Deprivation of property**

Extinguishment of civil claims in respect of forced labour under the Nazi regime by virtue of a law providing for a general compensation scheme: *inadmissible*.

POZNANSKI and Others v. Germany, 25101/05, N° 99

Confiscation of land and buildings by a criminal court - despite the owners' acquittal - on the grounds of unlawful construction in a coastal area: *admissible*.

SUD FONDI Srl and Others v. Italy, 75909/01, No. 100

### **Control of the use of property**

Absolute prohibition, without compensation, on building on land that had been designated as building land in order to protect views of a nearby ancient monument: *inadmissible*.

LONGOBARDI and Others v. Italy, 7670/03, No. 99

PERINELLI and Others v. Italy, 7718/03, No. 99

## **ARTICLE 3 OF PROTOCOL No. 1**

### **Free expression of opinion of people**

Alleged misadministration of electoral rolls, presidential control over electoral commissions and finalisation of country-wide vote tally without elections having been held in two districts: *admissible*.

THE GEORGIAN LABOUR PARTY v. Georgia, 9103/04, No. 97

Irregularities in an election campaign: *inadmissible*.

PARTIJA «JAUNIE DEMOKRĀTI» and PARTIJA «MŪSU ZEME» v. Latvia, 10547/07, 34049/07, N° 102

### **Vote**

Overseas resident denied the right to vote in national elections of his country of origin after having lived abroad for more than 15 years: *inadmissible*.

DOYLE v. United Kingdom, 30158/06, No. 94

Inability of Netherlands nationals resident in Aruba to vote in elections to the Netherlands Parliament: *inadmissible*.

SEVINGER and EMAN v. Netherlands, 17173/07 and 17180/07, No. 100

### **Stand for election**

Dissolution of electoral groups on the grounds that they were continuing the work of a previously dissolved party: *admissible*.

ETXEBERRIA and 3 others cases v. Spain, 35579/03 etc., No. 103

## **ARTICLE 2 OF PROTOCOL No. 4**

### **Freedom to choose residence**

Geographical restrictions on the residence of an asylum-seeker pending a final decision on his request: *inadmissible*.

OMWENYEKE v. Germany, 44294/04, No. 102

## ARTICLE 1 OF PROTOCOL No. 7

### Expulsion of an alien lawfully resident

Alleged inability to put case against an exclusion order imposed after refusal of leave to enter the territory: *Article 1 of Protocol No. 7 inapplicable.*

YILDIRIM v. Roumanie, 21186/02, No. 100

## ARTICLE 3 OF PROTOCOL No. 7

### Compensation

Inability to claim non-pecuniary damage for wrongful conviction: *admissible.*

MATVEYEV v. Russia, 26601/02, No. 94

## ARTICLE 4 OF PROTOCOL No. 7

### Ne bis in idem

Criminal convictions for bankruptcy offences after orders had been made temporarily disqualifying the applicants from setting up companies or holding directorships: *inadmissible.*

STORBRÅTEN v. Norway, 12277/04, No. 94

MJELDE v. Norway, 11143/04, No. 94

## RULE 39 OF THE RULES OF COURT

### Interim measures

Extradition allegedly despite the authorities having been notified that the applicant had lodged a Rule 39 request for an interim measure to be indicated by the Court: *inadmissible.*

AL-MOAYAD v. Germany, 35865/03, No. 94

## VI. JUDGMENTS AND DECISIONS SELECTED FOR PUBLICATION

So far (as at 15 January 2008) the following judgments and decisions delivered or adopted in 2007 have been selected by the Court's Publications Committee for publication in *Reports of Judgments and Decisions*. Grand Chamber judgments and decisions are indicated by an asterisk. Further cases are due to be examined by the Publications Committee in the near future and the final selection for 2007 will be posted on the Court's Internet site [www.echr.coe.int](http://www.echr.coe.int) (under "Case-Law") as soon as possible.

### Judgments

73049/01	ANHEUSER-BUSCH INC. v. Portugal*
60654/00	SISOJEVA and others v. Latvia*
34478/97	FENER RUM ERKEK LİSESİ VAKFI v. Turkey (extracts)
51744/99	KWIECIEN v. Poland
55066/00)	RUSSIAN CONSERVATIVE PARTY OF ENTREPRENEURS and
55638/00)	others v. Russia
71665/01	AUGUSTO v. France (SI) (extracts)
1948/04	SALAH SHEEKH v. the Netherlands (extracts)
27561/02	SOLMAZ v. Turkey (extracts)
17070/05	FARHI v. France (extracts)
7870/04	BAK v. Poland (extracts)
70160/01	AON CONSEIL ET COURTAGE S.A. and others v. France
68354/01	VEREINIGUNG BILDENDER KÜNSTLER v. Austria
19997/02	BOLDEA v. Romania (extracts)
1509/02	TATISHVILI v. Russia
56760/00	AKPINAR and ALTUN v. Turkey (extracts)
11002/05	ASSOCIATED SOCIETY OF LOCOMOTIVE ENGINEERS AND FIREMEN (ASLEF) v. the United Kingdom
510/04	TONSBERG BLAD and HAUKOM v. Norway
30810/03	GEERINGS v. the Netherlands
27473/02	YAGIZ v. Turkey (extracts)
43662/98	SCORDINO v. Italy (no. 3)
23241/04	ARMA v. France (extracts)
19215/04	GHEORGHE v. Romania (extracts)
5410/03	TYSIAC v. Poland
62617/00	COPLAND v. the United Kingdom
6339/05	EVANS v. the United Kingdom*
63235/00	VILHO ESKELINEN and others v. Finland*
38184/03	MATYJEK v. Poland
25389/05	GEBREMEDHIN v. France
57885/00	GERGELY v. Romania (striking out) (extracts)
71156/01	97 MEMBERS OF THE GLDANI CONGREGATION OF JEHOVAH'S WITNESSES and others v. Georgia
26867/02	GRZINCIC v. Slovenia (extracts)
1543/06	BACZKOWSKI and others v. Poland
52391/99	RAMSAHAI v. the Netherlands*
76606/01	PAUDICIO v. Italy
40116/02	ŠEČIĆ v. Croatia
7510/04	KONTROVA v. Slovakia (extracts)
14626/03	DELLE CAVE and CORRADO v. Italy
1914/02	DUPUIS and others v. France
71362/01	SMIRNOV v. Russia
71251/01	BASQUE NATIONALIST PARTY and IPARRALDE REGIONAL ORGANISATION v. France
38411/02	GARABAYEV v. Russia (extracts) (referral request pending)

52435/99	IVANOVA v. Bulgaria
70204/01	FRÉROT v. France (extracts)
71111/01	HACHETTE FILIPACCHI ASSOCIES v. France
25053/05	FERREIRA ALVES v. Portugal
76240/01	WAGNER and J.M.W.L. v. Luxembourg (extracts)
36549/03	HARUTYUNYAN v. Armenia
15472/02	FOLGERØ and others v. Norway*
15809/02)	O'HALLORAN and FRANCIS v. the United Kingdom*
25624/02)	
31930/04	SARA LIND EGGERTSDOTTIR v. Iceland
62155/00	PROVIDE S.R.L. v. Italy (extracts)
74613/01	JORGIC v. Germany (extracts)
68490/01	STANKOV v. Bulgaria
25691/04	BUKTA and others v. Hungary
48666/99	KUCERA v. Slovakia (extracts)
40074/98	FEYZI YILDIRIM v. Turkey (extracts)
17864/04)	KRASNOV and SKURATOV v. Russia (referral request pending)
21396/04)	
29294/02	HIRSCHHORN v. Romania
5523/00	ANGELOVA and ILIEV v. Bulgaria
64209/01	PEEV v. Bulgaria (extracts)
65022/01	ZAICEVS v. Latvia (extracts)
44302/02	J.A. PYE (OXFORD) LTD. v. the United Kingdom*
10163/02	JOHANSSON v. Finland
2570/04	KUCHERUK v. Ukraine
27527/03	L. v. Lithuania (referral request pending)
51967/99	TEREN AKSAKAL v. Turkey (extracts) (referral request pending)
45223/05	SULTANI v. France (extracts)

### Decisions

49/03	BENAZET v. France
12277/04	STORBRÁTEN v. Norway
30067/04	ERDEL v. Germany
35222/04	IVANOV v. Russia
23944/05	COLLINS and AKAZIEBIE v. Sweden
23123/04	SPAMPINATO v. Italy
34971/02	ESPOSITO v. Italy
38972/06	GIUSTO, BORNACIN and V. v. Italy
2115/04	DEPAUW v. Belgium
14524/06	TAMBURINI v. France
60167/00	PAD v. Turkey
69917/01	SACCOCCIA v. Austria (extracts)

*Note:* The publication of non-final Section judgments is normally subject to the judgment becoming final (Article 44 § 2 of the Convention).

## VII. STATISTICAL INFORMATION

### *New presentation for the Court's statistics*

In recent years and up until 1 January 2008 the Court has presented an overall figure for the number of applications pending before it, including applications at the pre-judicial stage. These are applications which are not ready for decision because the file is not complete and which have therefore not yet been allocated to a judicial formation. Since a significant percentage of these uncompleted applications are disposed of administratively because the applicant fails to submit the properly filled-in application form and/or necessary supporting documentation within the prescribed time-limit, the Court now considers that it should present a figure which more accurately reflects its true judicial business.

According to the old presentation, the total number of new applications in 2007 was 54,000 (estimation), whereas 41,700 were allocated to a decision body. Under the new presentation it is the second figure (allocated applications) which will appear as the statistic for the volume of incoming applications.

Similarly, under the old presentation at 31 December 2007 there were a total of 103,850 applications pending, of which some 79,000 were pending before a decision body. Under the new presentation, only the second figure (pending allocated applications) will be given for pending cases.

For the purposes of comparison, the figures given in previous years for applications (i) allocated to or (ii) pending before a decision body should be taken.

The figure for pre-judicial applications will appear as a separate statistic since the processing of these files does represent a certain amount of work for the Registry.

The attached tables adopt the new presentation.

## Events in total (2006-2007)

<b>1. Allocated applications</b> (Committee/Chamber [round figures (50)])	<b>2007</b>	<b>2006</b>	<b>+/-</b>
Applications allocated	<b>41700</b>	39350	6%

<b>2. Interim procedural events</b>	<b>2007</b>	<b>2006</b>	<b>+/-</b>
Applications communicated to respondent Government	<b>3440</b>	3217	7%
Applications declared admissible	<b>1621</b>	1634	-1%
- in separate decision	<b>181</b>	266	-32%
- in judgment on merits	<b>1440</b>	1368	5%

<b>3. Applications disposed of</b>	<b>2007</b>	<b>2006</b>	<b>+/-</b>
By decision or judgment <sup>11</sup>	<b>28792</b>	29878	-4%
- by judgment	<b>1735</b>	1719	1%
- by decision (inadmissible or struck off)	<b>27057</b>	28159	-4%

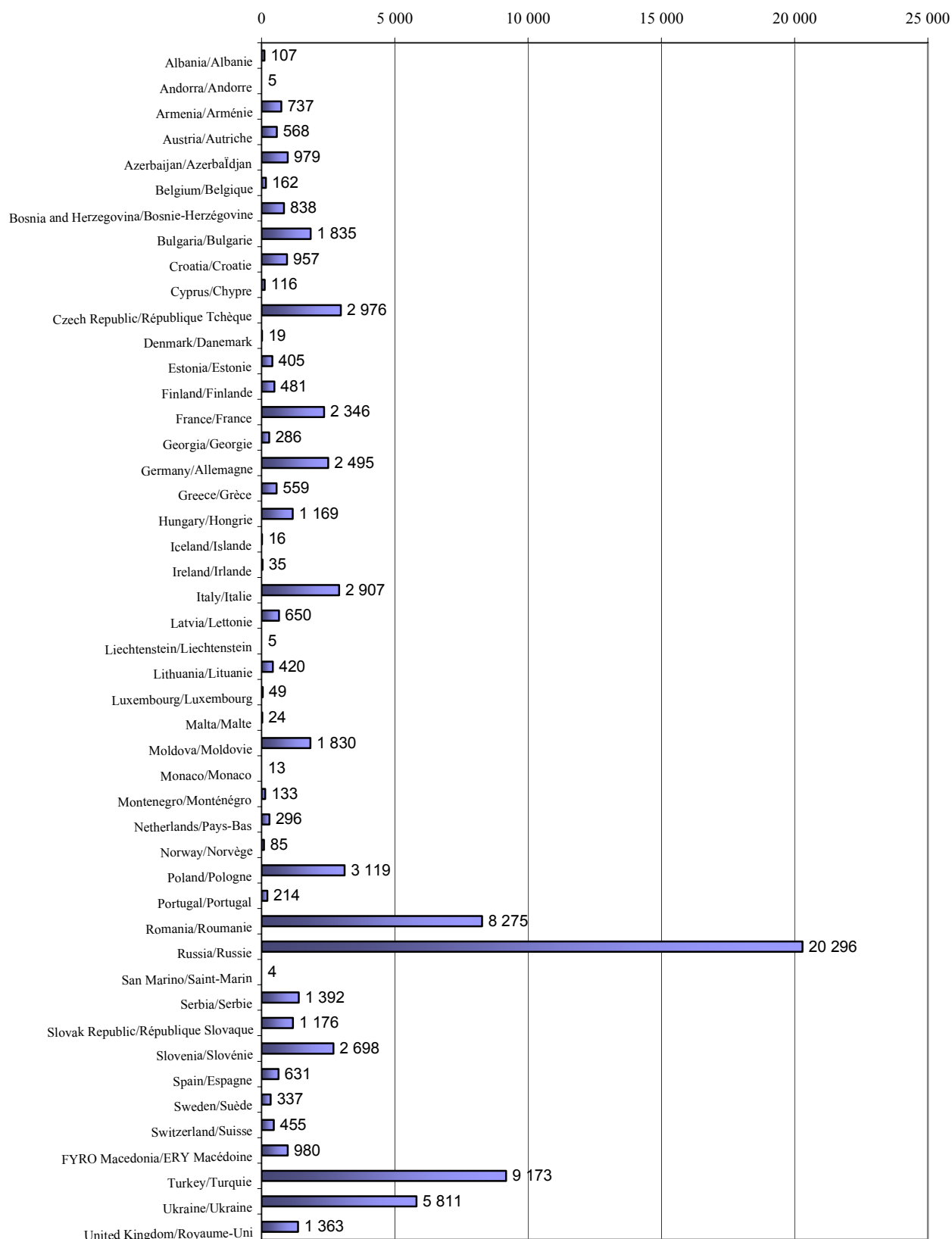
<b>4. Pending applications</b> [round figures (50)]	<b>31/12/2007</b>	<b>1/1/2007</b>	<b>+/-</b>
Applications pending before a judicial formation	<b>79400</b>	66500	19%
- Chamber (7 judges)	<b>27950</b>	22950	22%
- Committee (3 judges)	<b>51450</b>	43550	18%

<b>5. Pre-judicial applications</b> [round figures (50)]	<b>31/12/2007</b>	<b>1/1/2007</b>	<b>+/-</b>
Applications at a pre-judicial stage	<b>24450</b>	23400	4%
Applications disposed of administratively (applications not pursued - files destroyed)	<b>13413</b>	12274	9%

<sup>11</sup> A judgment or decision may concern more than one application.

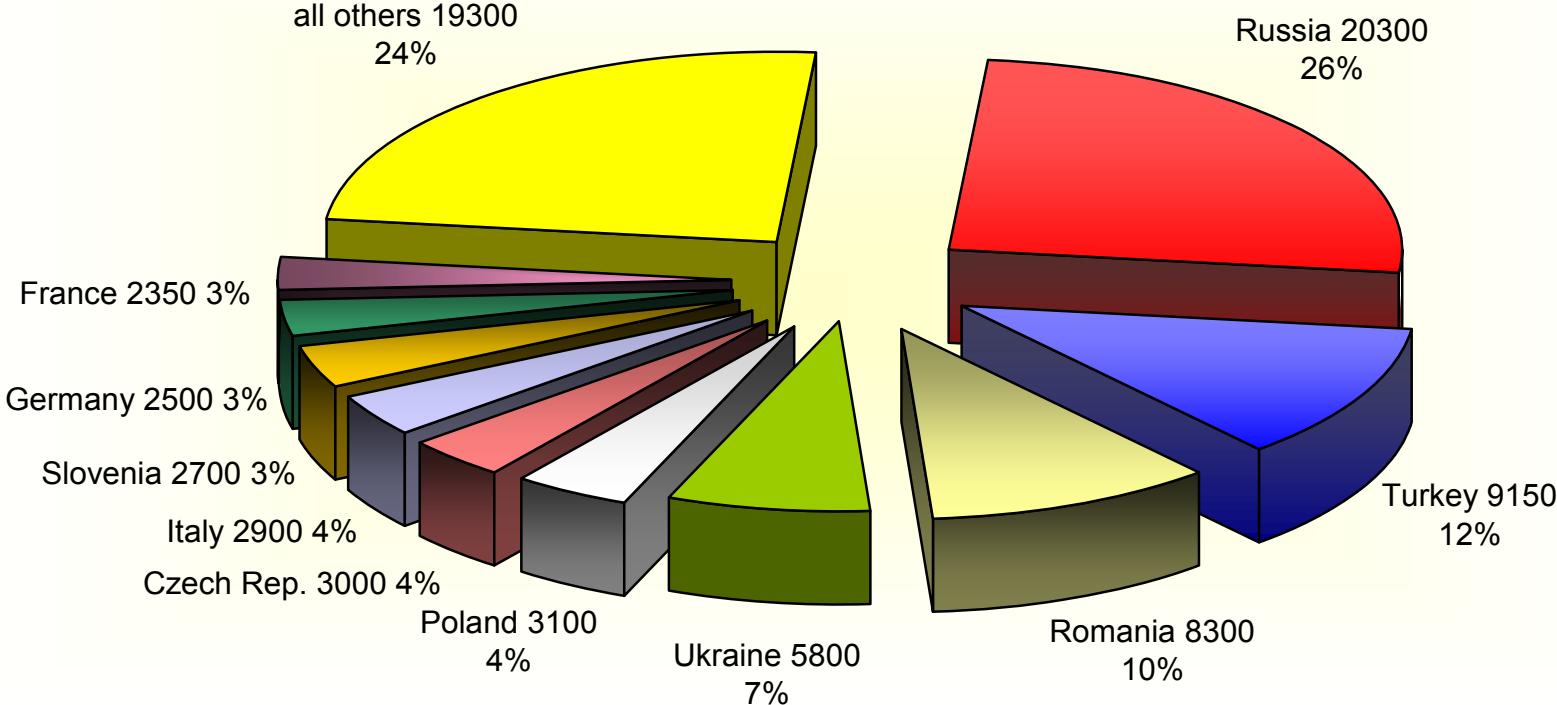


## Allocated cases pending on 31 December 2007, by respondent State



**Total 79427 of applications pending before a decision body**

**ALLOCATED CASES PENDING ON 31 DECEMBER 2007**



## Applications processed in 2007

Applications processed in 2007	Section I	Section II	Section III	Section IV	Section V	Grand Chamber	TOTAL
Applications in which judgments delivered	366	451	299	363	239	17	<b>1735</b>
Applications declared inadmissible (Chamber/Grand Chamber)	50	144	87	77	132	1	<b>491</b>
Applications struck off (Chamber/Grand Chamber)	133	134	108	296	92	1	<b>764</b>
Applications declared inadmissible or struck off (Committee)	5806	3469	5018	5121	6388		<b>25802</b>
<b>TOTAL</b>	<b>6355</b>	<b>4198</b>	<b>5512</b>	<b>5857</b>	<b>6851</b>	<b>19</b>	<b>28792</b>
Applications communicated <sup>12</sup>	736	919	823	550	412		<b>3440</b>
Applications declared admissible in a separate decision	60	23	12	15	71		<b>181</b>
Judgments delivered	337	340	271	328	212	15	<b>1503</b>
Interim measures (Rule 39) granted	11	20	56	166	9		<b>262</b>
Interim measures (Rule 39) refused	56	76	149	244	40		<b>565</b>
Interim measures (Rule 39) refused - falling outside the scope	8	8	237	45	7		<b>305</b>

<sup>12</sup> Including applications communicated for information. Applications may concern several States.

## Events in total, by respondent State (2007)

Etat  <i>State</i>	Requêtes attribuées à un organe décisionnel  <i>Applications allocated to a decision body</i>	Requêtes déclarées irrecevables ou rayées du rôle  <i>Applications declared inadmissible or struck off</i>	Requêtes communiquées au Gouvernement  <i>Applications referred to Government</i>	Requêtes déclarées recevables  <i>Applications declared admissible</i>	Arrêts chiffre global  <i>Judgments overall figure</i>	Arrêts (règlement amiable seulement)  <i>Judgments (friendly settlements only)</i>
Albania/ <i>Albanie</i>	54	22	12	5	6	-
Andorra/ <i>Andorre</i>	4	3		-	-	-
Armenia/ <i>Arménie</i>	614	44	26	5	5	-
Austria/ <i>Autriche</i>	329	272	28	18	23	-
Azerbaijan/ <i>Azerbaïdjan</i>	708	84	27	8	7	-
Belgium/ <i>Belgique</i>	124	105	3	12	15	1
Bosnia and Herzegovina/ <i>Bosnie-Herzégovine</i>	708	254	16	5	3	-
Bulgaria/ <i>Bulgarie</i>	821	586	103	86	53	-
Croatia/ <i>Croatie</i>	557	745	54	28	31	1
Cyprus/ <i>Chypre</i>	63	27	6	4	7	-
Czech Republic/ <i>République Tchèque</i>	808	1080	47	6	11	-
Denmark/ <i>Danemark</i>	45	72	7	1	2	1
Estonia/ <i>Estonie</i>	154	127	7	1	3	-
Finland/ <i>Finlande</i>	269	253	20	7	26	1
France/ <i>France</i>	1552	1549	124	35	48	-
Georgia/ <i>Georgie</i>	162	40	46	11	8	-
Germany/ <i>Allemagne</i>	1485	1685	43	14	12	1
Greece/ <i>Grèce</i>	384	298	99	58	65	-
Hungary/ <i>Hongrie</i>	528	323	43	24	24	-
Iceland/ <i>Islande</i>	9	6	2	2	2	-
Ireland/ <i>Irlande</i>	45	40	6	-	-	-
Italy/ <i>Italie</i>	1350	796	251	57	67	-
Latvia/ <i>Lettonie</i>	235	208	42	6	12	-
Liechtenstein/ <i>Liechtenstein</i>	5	3	-	-	-	-

Etat  State	Requêtes attribuées à un organe décisionnel  <i>Applications allocated to a decision body</i>	Requêtes déclarées irrecevables ou rayées du rôle  <i>Applications declared inadmissible or struck off</i>	Requêtes communiquées au Gouvernement  <i>Applications referred to Government</i>	Requêtes déclarées recevables  <i>Applications declared admissible</i>	Arrêts chiffre global  <i>Judgments overall figure</i>	Arrêts (règlement amiable seulement)  <i>Judgments (friendly settlements only)</i>
Lithuania/ <i>Lituanie</i>	227	208	6	4	5	1
Luxembourg/Luxembourg	32	26	6	4	7	-
Malta/ <i>Malte</i>	17	3	4	2	1	-
Moldova/ <i>Moldovie</i>	887	201	73	63	60	-
Monaco/ <i>Monaco</i>	10	1	1	-	-	-
Montenegro/ <i>Monténégro</i>	93	-	-	-	-	-
Netherlands/ <i>Pays-Bas</i>	365	335	11	4	10	-
Norway/ <i>Norvège</i>	62	70	4	6	5	-
Poland/ <i>Pologne</i>	4211	3963	324	112	111	-
Portugal/ <i>Portugal</i>	133	169	32	32	10	-
Romania/ <i>Roumanie</i>	3171	2536	401	91	93	1
Russia/ <i>Russie</i>	9497	4364	515	181	192	9
San Marino/ <i>Saint-Marin</i>	1	1	2	-	1	-
Serbia/ <i>Serbie</i>	1061	528	26	20	14	-
Slovak Republic/ <i>Republique Slovaque</i>	347	286	59	19	23	-
Slovenia/ <i>Slovénie</i>	1012	159	142	13	15	-
Spain/ <i>Espagne</i>	309	408	7	13	5	-
Sweden/ <i>Suède</i>	360	370	27	4	7	1
Switzerland/ <i>Suisse</i>	236	165	17	6	7	-
FYRO Macedonia/ <i>ERY Macédoine</i>	454	60	24	14	17	-
Turkey/ <i>Turquie</i>	2830	1573	560	387	331	3
Ukraine/ <i>Ukraine</i>	4502	2606	157	240	109	-
United Kingdom/ <i>Royaume-Uni</i>	886	403	30	13	50	40
<b>Total</b>	<b>41716</b>	<b>27057</b>	<b>3440</b>	<b>1621</b>	<b>1503</b>	<b>60</b>

## Violations by Article and respondent State (2007)

2007	Other Articles of the Convention																									
	Total number of judgments	Judgments finding at least one violation	Friendly settlements / out judgments	Judgments finding no violation	Right to life - deprivation of life	Lack of effective investigation	Inhuman or degrading treatment	Lack of effective treatment	Prohibition of torture	Right to liberty and security	Right to a fair trial	No punishment without law	Freedom of thought, conscience and religion	Freedom of expression	Freedom of association	Right to an effective remedy	Prohibition of discrimination	Protection of property	Right to education	Right to free elections	Right not to be tried or punished twice	Other Articles of the Convention				
	Total	Total	Total	Total	Total	2	2	3	3	3	4	5	6	6	7	8	9	10	11	12	13	14	P1-1	P1-2	P1-3	P7-4
Albania	6	5			1				1				5	2							4		3			
Andorra	0																									
Armenia	5	5											4						2							1
Austria	23	20	3						1				3	8		4			5		4					
Azerbaijan	7	7						1	1	1			3						2		2		2			
Belgium	15	14		1							1	2	10					1			2					
Bosnia Herzegovina	3	3											2			1							1			
Bulgaria	53	51			2	1	2		4	2		19	6	19		5	1	2	2		17	1	5			
Croatia	31	29	1	1					2	1			10	14							1	1	4			
Cyprus	7	7											6		2						1		1			
Czech Republic	11	9	1		1							3	1	3		6						1				
Denmark	2		1	1																						
Estonia	3	3											1	2							1					
Finland	26	16	8	2									8	9		1					1					
France	48	39	8		1	1			1			2	26	6		2		2			4		3			
Georgia	8	4	4						1	1		1	1				1	1				1				
Germany	12	7	4	1								2	1	5		1					1					
Greece	65	61	2		2	2	2		2	2		1	14	38					3	1		5	1	4		
Hungary	24	24								1				22						1		1				
Iceland	2	2											2													
Ireland	0																									
Italy	67	58	1		8							1	10	25		24		1			17	1	8		2	2
Latvia	12	8	2	2								6	1	2		2	1	1								1
Liechtenstein	0																									
Lithuania	5	3	1	1									1	2		1										
Luxembourg	7	6	1										3	2		1				1		1	1	1		

2007	Total number of judgments					Other Articles of the Convention																						
	Total	Total	Total	Total	Total	2	2	3	3	3	4	5	6	6	7	8	9	10	11	12	13	14	P1-1	P1-2	P1-3	P7-4		
Malta	1	1																1										
Moldova	60	59			1			1	10	4		27	34	2		3	1	7			12		29				4	
Monaco	0																											
Montenegro	0																											
Netherlands	10	5	1	1	3		2		1			1	1			1		1										
Norway	5	5											1	1		1		1							1			
Poland	111	101	9		1				1	1		47	10	35		13		2	1		5	2	3					
Portugal	10	9	1										4					2					3					
Romania	93	88	1	3	1				2	3		1	41	8	1	2		1	1		1	2	55				1	
Russia	192	175	6	11		13	13	1	25	2		47	127	11		6	1	5	3		23		114		2	1	10	
San Marino	1				1																							
Serbia	14	14											3	8		4		2			8		4					
Slovakia	23	22	1			1						6	2	14		4					2		2					
Slovenia	15	14	1				1						1	13							11							
Spain	5	2	3										2															
Sweden	7	5		2										4									1					
Switzerland	7	6	1									2	1			1		2										
The FYR Macedonia	17	16		1						1			4	11														
Turkey	331	319	7	4	1	3	11	8	23	16		95	99	67		5		26	5		25		58	1	4			
Ukraine	109	108	1						6	2		3	66	34			1				19		43					
United Kindgom	50	19	7	24			5					1	3	1		2		1				6						
<b>Sub Total</b>	<b>1503</b>	<b>1349</b>	<b>76</b>	<b>55</b>	<b>23</b>	<b>21</b>	<b>36</b>	<b>11</b>	<b>81</b>	<b>37</b>	<b>0</b>	<b>266</b>	<b>503</b>	<b>384</b>	<b>1</b>	<b>92</b>	<b>6</b>	<b>66</b>	<b>20</b>	<b>0</b>	<b>168</b>	<b>17</b>	<b>344</b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>19</b>	
<b>Total</b>			<b>1503</b>																									

\*\*Other judgments: just satisfaction, revision judgments, preliminary objections and lack of jurisdiction

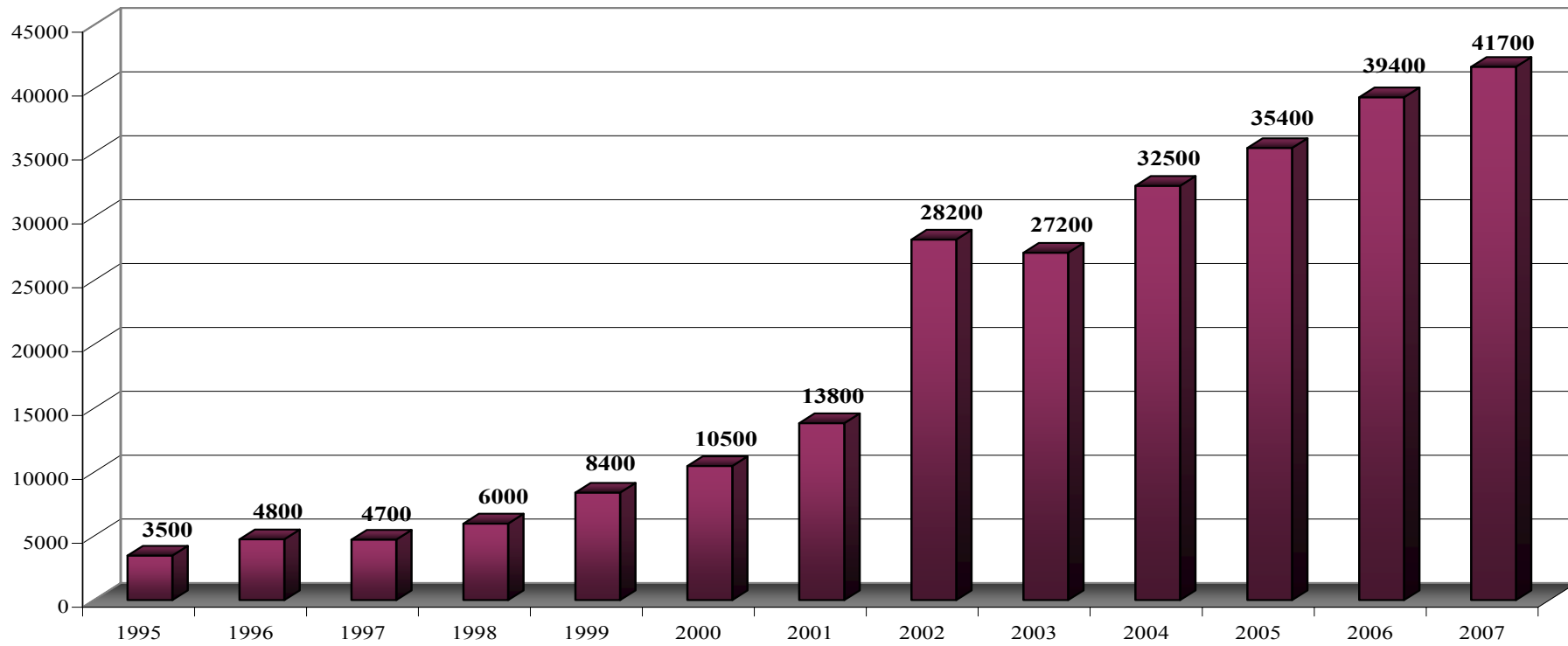
## Events in total, by respondent State (1 November 1998-31 December 2007)

Etat  State	Requêtes attribuées à un organe décisionnel  <i>Applications allocated to a decision body</i>	Requêtes déclarées irrecevables ou rayées du rôle  <i>Applications declared inadmissible or struck off</i>	Requêtes communiquées au Gouvernement  <i>Applications referred to Government</i>	Requêtes déclarées recevables  <i>Applications declared admissible</i>	Arrêts chiffre global  <i>Judgments overall figure</i>	Arrêts (règlement amiable seulement)  <i>Judgments (friendly settlements only)</i>
Albania/ <i>Albanie</i>	204	97	40	9	10	-
Andorra/ <i>Andorre</i>	26	21	2	2	3	1
Armenia/ <i>Arménie</i>	992	253	60	7	5	-
Austria/ <i>Autriche</i>	2627	2247	298	174	164	16
Azerbaijan/ <i>Azerbaïdjan</i>	1491	506	63	16	10	-
Belgium/ <i>Belgique</i>	1121	923	148	101	82	8
Bosnia and Herzegovina/ <i>Bosnie-Herzégovine</i>	1359	520	54	7	4	-
Bulgaria/ <i>Bulgarie</i>	5021	3135	460	234	169	3
Croatia/ <i>Croatie</i>	4095	3030	333	131	132	26
Cyprus/ <i>Chypre</i>	368	229	85	37	42	3
Czech Republic/ <i>République Tchèque</i>	7294	4285	459	129	128	7
Denmark/ <i>Danemark</i>	605	605	59	23	21	10
Estonia/ <i>Estonie</i>	1027	612	33	15	15	1
Finland/ <i>Finlande</i>	1846	1471	169	91	90	7
France/ <i>France</i>	13110	10549	1041	625	588	40
Georgia/ <i>Georgie</i>	480	180	101	22	18	-
Germany/ <i>Allemagne</i>	10143	7830	244	83	88	4
Greece/ <i>Grèce</i>	2528	1708	578	353	366	17
Hungary/ <i>Hongrie</i>	3067	1882	224	116	116	4
Iceland/ <i>Islande</i>	60	47	10	8	8	2
Ireland/ <i>Irlande</i>	292	267	20	12	12	1
Italy/ <i>Italie</i>	9900	6332	2661	1674	1714	324
Latvia/ <i>Lettonie</i>	1509	839	135	35	30	1
Liechtenstein/ <i>Liechtenstein</i>	26	20	3	3	4	-

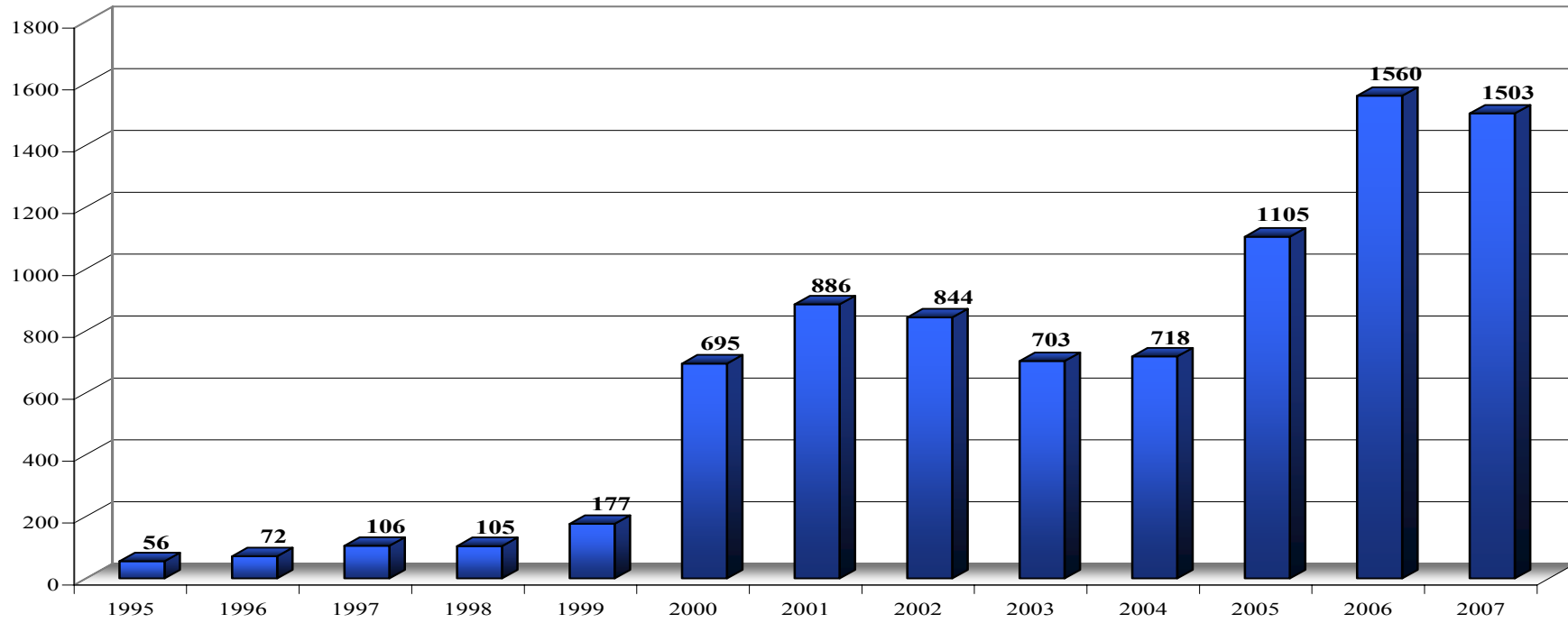


Etat  <i>State</i>	Requêtes attribuées à un organe décisionnel  <i>Applications allocated to a decision body</i>	Requêtes déclarées irrecevables ou rayées du rôle  <i>Applications declared inadmissible or struck off</i>	Requêtes communiquées au Gouvernement  <i>Applications referred to Government</i>	Requêtes déclarées recevables  <i>Applications declared admissible</i>	Arrêts chiffre global  <i>Judgments overall figure</i>	Arrêts (règlement amiable seulement)  <i>Judgments (friendly settlements only)</i>
Lithuania/ <i>Lituanie</i>	2464	2021	112	50	35	4
Luxembourg/ <i>Luxembourg</i>	193	146	37	19	19	1
Malta/ <i>Malte</i>	74	41	25	16	16	-
Moldova/ <i>Moldovie</i>	2969	1043	349	155	105	-
Monaco/ <i>Monaco</i>	15	2	1	-	-	-
Montenegro/ <i>Monténégro</i>	134	-	1	-	-	-
Netherlands/ <i>Pays-Bas</i>	2717	2475	179	61	70	8
Norway/ <i>Norvège</i>	473	408	33	23	15	-
Poland/ <i>Pologne</i>	27988	25285	1213	489	489	32
Portugal/ <i>Portugal</i>	1329	1039	259	183	141	53
Romania/ <i>Roumanie</i>	18406	10090	1086	283	279	14
Russia/ <i>Russie</i>	46685	26137	1755	534	397	9
San Marino/ <i>Saint-Marin</i>	22	20	12	8	11	1
Serbia/ <i>Serbie</i>	2729	1334	71	21	15	-
Slovak Republic/ <i>Republique Slovaque</i>	3227	2001	359	152	150	18
Slovenia/ <i>Slovénie</i>	3838	988	459	214	210	1
Spain/ <i>Espagne</i>	4176	3640	493	51	37	1
Sweden/ <i>Suède</i>	2823	2571	155	41	42	15
Switzerland/ <i>Suisse</i>	1850	1470	76	37	41	2
FYRO Macedonia/ <i>ERY Macédoine</i>	1352	350	99	34	31	1
Turkey/ <i>Turquie</i>	21240	12136	3942	1887	1641	186
Ukraine/ <i>Ukraine</i>	17322	11315	1110	550	372	1
United Kingdom/ <i>Royaume-Uni</i>	6771	5645	964	316	256	70
<b>Total</b>	<b>237988</b>	<b>157745</b>	<b>20070</b>	<b>9031</b>	<b>8191</b>	<b>892</b>

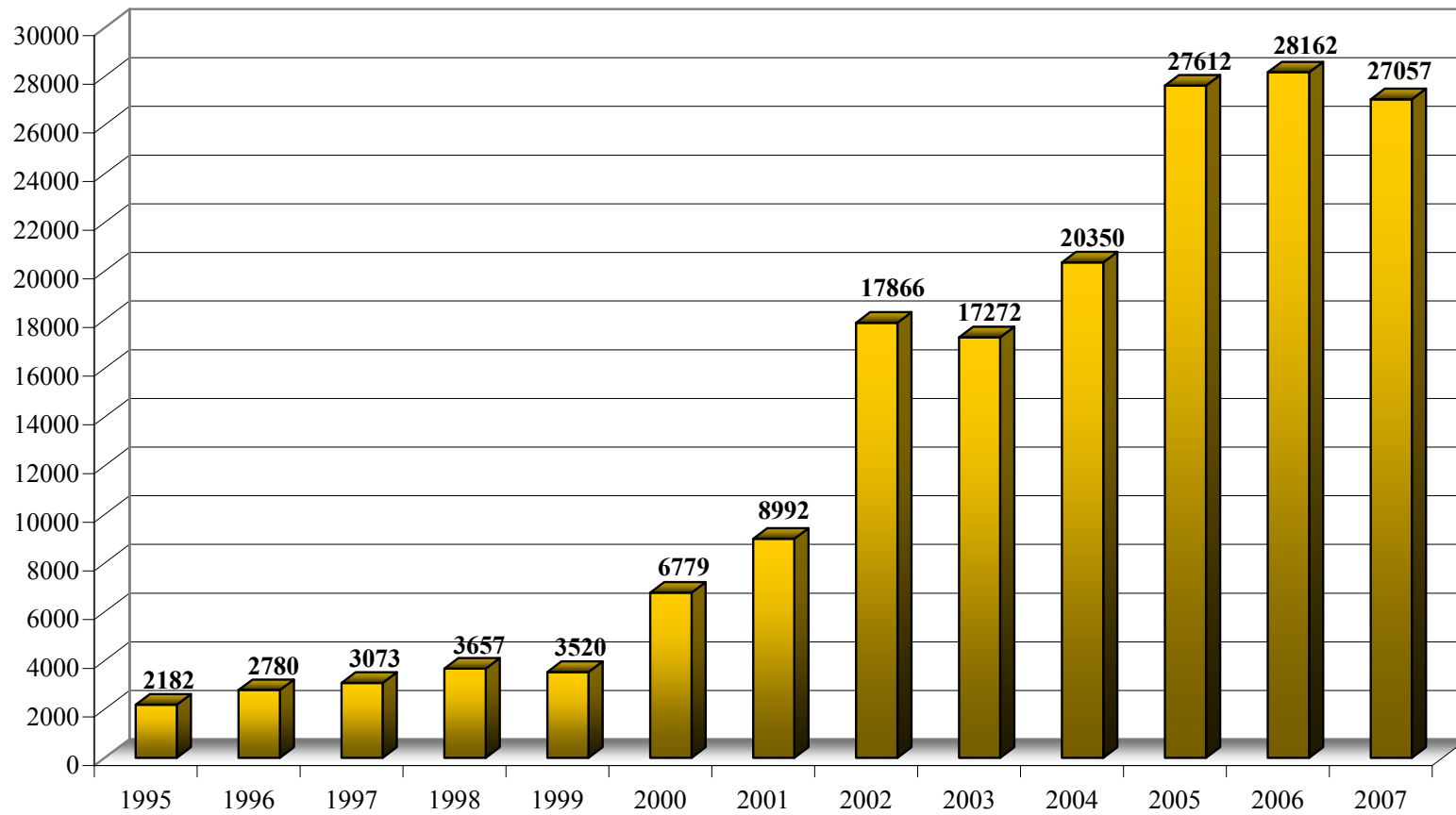
## Applications allocated to a decision body



# Judgments



## Applications declared inadmissible or struck off



### Events in total (1955-2007)

	1955 - 1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL
Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>	39047	5981	8400	10482	13845	28214	27189	32512	35402	39373	41700	282145
Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off the list</i>	28959	3658	3520	6776	8989	17868	17272	20350	27612	28160	24067	187231
Requêtes déclarées recevables <i>Applications declared admissible</i>	4161	762	731	1086	739	578	753	830	1036	1634	1621	13931
Arrêts rendus par la Cour <i>Judgments delivered by the Court</i>	732	105	177	695	889	844	703	718	1105	1560	1503	9031

