



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

**SURVEY OF ACTIVITIES**

**2004**

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*Note:* This survey provides general information and statistics concerning the activities of the Court in 2004. Separate annual activity reports are also available for the Grand Chamber and each of the four Sections.

## **I. HISTORICAL BACKGROUND, ORGANISATION AND PROCEDURE**

### **A. Historical background**

#### **The European Convention on Human Rights of 1950**

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 was to represent 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 latter organ being composed of the Ministers of Foreign Affairs of the member States or their representatives.

3. Under the Convention in its original version, complaints could be brought against Contracting States either by other Contracting States or by individual applicants (individuals, groups of individuals or non-governmental organisations). Recognition of the right of individual application was, however, optional and it could therefore be exercised only against those States which had accepted it (Protocol No. 11 to the Convention was subsequently to make its acceptance compulsory, see paragraph 6 below).

The complaints were first the subject of 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.

4. Where the respondent State had accepted the compulsory jurisdiction of the Court, 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. Individuals were not entitled to bring their cases before the Court.

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.

## **Subsequent developments**

5. Since the Convention's entry into force fourteen Protocols have been adopted. Protocols Nos. 1, 4, 6, 7, 12 and 13 added further rights and liberties to those guaranteed by the Convention, while Protocol No. 2 conferred on the Court the power to give advisory opinions. Protocol No. 9 enabled individual applicants to bring their cases before the Court subject to ratification by the respondent State and acceptance by a screening panel. Protocol No. 11 restructured the enforcement machinery (see below). The remaining Protocols concerned the organisation of and procedure before the Convention institutions.

6. From 1980 onwards, 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. The problem was aggravated by the accession of new Contracting States from 1990. The number of applications registered annually with the Commission increased from 404 in 1981 to 4,750 in 1997. By that year, the number of unregistered or provisional files opened each year in the Commission had risen to over 12,000. The Court's statistics reflected a similar story, with the number of cases referred annually rising from 7 in 1981 to 119 in 1997.

The increasing case-load prompted a lengthy debate on the necessity for a reform of the Convention supervisory machinery, resulting in the adoption of Protocol No. 11 to the Convention. The aim was to simplify the structure with a view to shortening the length of proceedings while strengthening the judicial character of the system by making it fully compulsory and abolishing the Committee of Ministers' adjudicative role.

Protocol No. 11, which came into force on 1 November 1998, replaced the existing, part-time Court and Commission by a single, full-time Court. For a transitional period of one year (until 31 October 1999) the Commission continued to deal with the cases which it had previously declared admissible.

7. However, in the years following the entry into force of Protocol No. 11 there was growing concern about the Court's capacity to deal with the increasing volume of cases. As a result a new reform process was launched, culminating in the opening for signature of Protocol No. 14 to the Convention on 13 May 2004 (see paragraphs 32-34 below).

## **B. Organisation of the Court**

8. The European Court of Human Rights set up under the Convention as amended by Protocol No. 11 is composed of a number of judges equal to that of the Contracting States (currently forty-five). There is no restriction on the number of judges of the same nationality. Judges are elected by the Parliamentary Assembly of the Council of Europe for a term of six years. The terms of office of one half of the judges elected at the first election expired after three years, so as to ensure that the terms of office of one half of the judges are renewed every three years.

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. Their terms of office expire when they reach the age of seventy.

The Plenary Court elects its President, two Vice-Presidents and two Presidents of Section for a period of three years.

9. Under the Rules of Court, the Court is divided into four Sections, whose composition, fixed for three years, is geographically and gender balanced and takes account of the different legal systems of the Contracting States. Two of the Sections are presided over by the Vice-Presidents of the Court; the other two Sections are presided over by the Section Presidents. Section Presidents are assisted and where necessary replaced by Section Vice-Presidents, elected by the Sections.

10. Committees of three judges are set up within each Section for twelve-month periods.

11. Chambers of seven members are constituted within each Section on the basis of rotation, with the Section President and the judge elected in respect of the State concerned sitting 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. The members of the Section who are not full members of the Chamber sit as substitute members.

12. The Grand Chamber of the Court is composed of seventeen judges, who include, as *ex officio* members, the President, Vice-Presidents and Section Presidents.

### **C. Procedure before the Court**

#### *1. General*

13. 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 forms for making applications may be obtained from the Registry.

14. The procedure before the European Court of Human Rights is adversarial and public. Hearings, which are held only in a 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.

15. Individual applicants may submit applications themselves, but legal representation is recommended, and even required for hearings or once an application has been declared admissible. The Council of Europe has set up a legal aid scheme for applicants who do not have sufficient means.

16. 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. Admissibility procedure*

17. Each individual application is assigned to a Section, whose President designates a rapporteur. After a preliminary examination of the case, the rapporteur decides whether it should be dealt with by a three-member Committee or by a Chamber.

18. A Committee may decide, by unanimous vote, to declare inadmissible or strike out an application where it can do so without further examination.

19. Individual applications which are not declared inadmissible by Committees, or which are referred directly to a Chamber by the rapporteur, and State applications are examined by a Chamber. Chambers determine both admissibility and merits, in separate decisions or where appropriate together.

20. Chambers may at any time relinquish jurisdiction in favour of the Grand Chamber where a case raises a serious question of interpretation of the Convention or where there is a risk of departing from existing case-law, unless one of the parties objects to such relinquishment within one month of notification of the intention to relinquish. In the event of relinquishment the procedure followed is the same as that set out below for Chambers.

21. The first stage of the procedure is generally written, although the Chamber may decide to hold a public hearing, in which case issues arising in relation to the merits will normally also be addressed.

22. Decisions on admissibility, which are taken by majority vote, must contain reasons and be made public.

### *3. Procedure on the merits*

23. Once the Chamber has decided to admit the application, it may invite the parties to submit further evidence and written observations, including any claims for “just satisfaction” by the applicant. If no hearing has taken place at the admissibility stage, it may decide to hold a hearing on the merits of the case.

24. 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 a 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.

25. During the procedure on the merits, negotiations aimed at securing a friendly settlement may be conducted through the Registrar. The negotiations are confidential.

### *4. Judgments*

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. Within three months of delivery of the judgment of a Chamber, any party may request that the case be referred to the Grand Chamber if it raises a serious question of interpretation or application of the Convention or Protocols or a serious issue of general importance. Such requests are examined by a Grand Chamber panel of five judges composed of the President of the Court, the Section Presidents, with the exception of the Section President who presides over the Section to which the Chamber that gave judgment belongs, and another judge selected by rotation from judges who were not members of the original Chamber.

28. A Chamber’s judgment becomes final on expiry of the three-month period or earlier if the parties announce that they have no intention of requesting a referral or after a decision of the panel rejecting a request for referral.

29. If the panel accepts the request, the Grand Chamber renders its decision on the case in the form of a judgment. The Grand Chamber decides by a majority vote and its judgments are final.

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

31. Responsibility for supervising the execution of judgments lies with the Committee of Ministers of the Council of Europe. The Committee of Ministers verifies whether States in respect of which a violation of the Convention is found have taken adequate remedial measures to comply with the specific or general obligations arising out of the Court’s judgments.

## 5. Protocol No. 14

32. Protocol No. 14 must be ratified by all the Contracting States before it enters into force. The main innovations as regards the procedure before the Court are as follows:

(a) A single-judge formation (new Article 26 of the Convention) is introduced with competence to declare applications inadmissible on the same basis as a three-judge committee at present (new Article 27). The single-judge formation will be assisted by non-judicial rapporteurs (new Article 24 § 1), who will fulfil in respect of plainly inadmissible cases the function currently carried out by judge rapporteurs. The single judge may never be the judge elected in respect of the respondent State (Article 26 § 3).

(b) Three-judge committees acquire a new power. In addition to their existing competence to declare cases inadmissible and strike them out, they will be able to declare cases admissible and render judgment in them if the underlying question in the case is already the subject of well-established case-law of the Court (Article 28 § 1 (b), as amended)

(c) A new admissibility criterion is inserted in Article 35. Under Article 35 § 3 (b), the Court will be empowered to declare inadmissible any individual application where the applicant has not suffered a significant disadvantage. However, cases may not be dismissed on this ground if “respect for human rights” requires an examination on the merits or where the case has not been duly examined by a domestic tribunal. In the two years following the entry into force of the Protocol, this criterion may be applied only by Chambers and the Grand Chamber.

(d) The Court’s increasingly frequent practice of dealing with admissibility and the merits together, rather than separately as envisaged in the present Article 29 § 3, is reflected in paragraph 1 of the amended Article 29.

(e) As far as the execution process is concerned, two new possibilities are created for the Committee of Ministers. Firstly, where its supervision of execution is hindered by a problem of interpretation it may refer the matter to the Court for a ruling (new Article 46 § 3). Secondly, where a respondent State refuses to abide by a final judgment, the Committee of Ministers may institute proceedings before the Court to determine whether the State has, or has not, fulfilled its execution obligations (new Article 46 §§ 4 and 5).

33. As regards the judges, the main change is the introduction of single nine-year term of office to replace the present renewable six-year term (Article 23 § 1 as amended). In addition, *ad hoc* judges replacing elected judges who are unable to sit as a national judge in a particular case will, under Protocol No. 14, be chosen by the President of the Court from a list submitted in advance, rather than simply being appointed by the respondent State as now (new Article 26 § 4).

34. Finally, Article 59 is amended to provide in a new paragraph 2 that the European Union may accede to the Convention.

## 6. Advisory opinions

35. The Court may, at the request of the Committee of Ministers, give advisory opinions on legal questions concerning the interpretation of the Convention and Protocols.

Decisions of the Committee of Ministers to request an advisory opinion are taken by a majority vote.

36. Advisory opinions are given by the Grand Chamber and adopted by a majority vote. Any judge may attach to the advisory opinion, a separate opinion or a bare statement of dissent.

## II. COMPOSITION OF THE COURT (as at 31 December 2004)<sup>1</sup>

(in order of precedence)

Mr Luzius WILDHABER, President	(Swiss)
Mr Christos ROZAKIS, Vice-President	(Greek)
Mr Jean-Paul COSTA, Vice-President	(French)
Sir Nicolas BRATZA, Section President	(British)
Mr Boštjan ZUPANČIČ, Section President	(Slovenian)
Mr Giovanni BONELLO	(Maltese)
Mr Lucius CAFLISCH	(Swiss) <sup>2</sup>
Mr Loukis LOUCAIDES	(Cypriot)
Mr Ireneu CABRAL BARRETO	(Portuguese)
Mr Rıza TÜRMEŒ	(Turkish)
Ms Françoise TULKENS	(Belgian)
Mr Corneliu BÎRSAN	(Romanian)
Mr Peer LORENZEN	(Danish)
Mr Karel JUNGWIERT	(Czech)
Mr Volodymyr BUTKEVYCH	(Ukrainian)
Mr Josep CASADEVALL	(Andorran)
Ms Nina VAJIĆ	(Croatian)
Mr John HEDIGAN	(Irish)
Mr Matti PELLONPÄÄ	(Finnish)
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 BOTOUCHAROVA	(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 JOČIENĒ	(Lithuanian)
Mr Ján ŠIKUTA	(Slovakian)
Mr Paul MAHONEY, Registrar	(British)
Mr Erik FRIBERGH, Deputy Registrar	(Swedish)

<sup>1</sup> The seats of judges in respect of Latvia and Serbia and Montenegro are currently vacant.

<sup>2</sup> Elected as the judge in respect of Liechtenstein.



## COMPOSITION OF THE COURT (as at 31 October 2004)<sup>1</sup>

(in order of precedence)

Mr Luzius WILDHABER, President	(Swiss)
Mr Christos ROZAKIS, Vice-President	(Greek)
Mr Jean-Paul COSTA, Vice-President	(French)
Mr Georg RESS, Section President	(German)
Sir Nicolas BRATZA, Section President	(British)
Mr Giovanni BONELLO	(Maltese)
Mr Lucius CAFLISCH	(Swiss) <sup>2</sup>
Mr Loukis LOUCAIDES	(Cypriot)
Mr Ireneu CABRAL BARRETO	(Portuguese)
Mr Rıza TÜRMEN	(Turkish)
Ms Françoise TULKENS	(Belgian)
Ms Viera STRÁŽNICKÁ	(Slovakian)
Mr Corneliu BÎRSAN	(Romanian)
Mr Peer LORENZEN	(Danish)
Mr Karel JUNGWIERT	(Czech)
Mr Volodymyr BUTKEVYCH	(Ukrainian)
Mr Josep CASADEVALL	(Andorran)
Mr Boštjan ZUPANČIČ	(Slovenian)
Ms Nina VAJIĆ	(Croatian)
Mr John HEDIGAN	(Irish)
Ms Wilhelmina THOMASSEN	(Netherlands)
Mr Matti PELLONPÄÄ	(Finnish)
Ms Margarita TSATSA-NIKOLOVSKA	(citizen of "the former Yugoslav Republic of Macedonia")
Ms Hanne Sophie GREVE	(Norwegian)
Mr András BAKA	(Hungarian)
Mr Rait MARUSTE	(Estonian)
Mr Kristaq TRAJA	(Albanian)
Ms Snezana 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)
Mr Paul MAHONEY, Registrar	(British)
Mr Erik FRIBERGH, Deputy Registrar	(Swedish)

### Judges elect<sup>3</sup>

Ms Renate JAEGER	(German)
Mr Egbert MYJER	(Netherlands)
Mr Sverre JEBENS	(Norwegian)
Mr David Thór BJÖRGVINSSON	(Icelandic)
Ms Danutė JOČIENĖ	(Lithuanian)
Mr Ján ŠIKUTA	(Slovakian)

<sup>1</sup> The seats of judges in respect of Latvia and Serbia and Montenegro are currently vacant.

<sup>2</sup> Elected as the judge in respect of Liechtenstein.

<sup>3</sup> Due to take up office on 1 November 2004.

### III. SUBJECT-MATTER OF JUDGMENTS DELIVERED IN 2004

#### (a) Subject-matter of selected judgments, by Convention Article

##### Article 2      *Cases concerning the right to life*

- inapplicability of the crime of involuntary homicide to abortion made necessary by medical negligence (*Vo v. France* [GC], no. 53924/00)
- shooting by military police of two unarmed Roma conscripts who had escaped from detention imposed for being absent without leave, and lack of an effective investigation (*Nachova and others v. Bulgaria*, nos. 43577/98 and 43579/98; the case is now pending before the Grand Chamber)
- shooting of by the police and lack of an effective investigation (*Ağdaş v. Turkey*, no. 34592/97)
- use by the police of potentially lethal force against an unarmed civilian (*Makaratzis v. Greece* [GC], no. 50385/99)
- death of applicants' relative after being taken into custody, and lack of an effective investigation (*İkincisoğlu v. Turkey*, no. 26144/95)
- death in custody resulting from pneumonia contracted as a result of being forced to walk barefoot in the snow and the conditions of detention, and lack of an effective investigation (*Ahmet Özkan v. Turkey*, no. 21689/93)
- death of the applicant's partner while in detention awaiting deportation, allegedly as a result of a lack of adequate medical facilities, and impossibility for the partner to participate in the investigation into the cause of death (*Slimani v. France*, no. 57671/00)
- death of a detainee in an explosion while he was showing the location of a terrorist shelter to the security forces, and lack of an effective investigation (*Özalp and others v. Turkey*, no. 32457/96)
- suicide in police custody and lack of an effective investigation (*A.A. and others v. Turkey*, no. 30015/96, and *A.K. and V.K. v. Turkey*, no. 38418/97)
- murder by unidentified perpetrators and lack of an effective investigation (*Buldan v. Turkey*, no. 28298/95, *M.K. v. Turkey*, no. 29298/95, *Seyhan v. Turkey*, no. 33384/96, *Nuray Şen v. Turkey (no. 2)*, no. 25354/94, and *E.O. v. Turkey*, no. 28497/95)
- disappearance and lack of an effective investigation (*Tekdağ v. Turkey*, no. 27699/95, *Ipek v. Turkey*, no. 25760/94, *Tahsin Acar v. Turkey* [GC], no. 26307/95, *Erkek v. Turkey*, no. 28637/95)
- firing of weapons at a village by the security forces, death of a child as a result of injuries sustained during military action in the village and death and injury of children while playing with an unexploded grenade (*Ahmet Özkan v. Turkey*, no. 21689/93)
- shelling of a village, resulting in the death of the applicant's wife, and lack of an effective investigation (*Mehmet Şirin Yılmaz v. Turkey*, no. 35875/97)
- death of the applicant's husband during an armed clash and lack of an effective investigation (*Zengin v. Turkey*, no. 46928/99)
- killing of shepherds in northern Iraq, allegedly by Turkish troops conducting a military operation there (*Issa and others v. Turkey*, no. 31821/96)

- death of nine of the applicant's relatives as a result of an explosion at a rubbish tip where a shanty town had been built, and effectiveness of the criminal proceedings brought against public officials in respect of alleged negligence (*Öneryildiz v. Turkey* [GC], no. 48939/99)

### Article 3      *Cases concerning physical integrity*

- torture of detainees and lack of an effective investigation (*Bati and others v. Turkey*, nos. 33097/96 and 57834/00, *Abdulsamet Yaman v. Turkey*, no. 32446/96, and *Bursuc v. Romania*, no. 42066/98)

- ill-treatment of detainees and, in certain cases, lack of an effective investigation (*Sadik Önder v. Turkey*, no. 28520/95, *Çolak and Filizer v. Turkey*, nos. 32578/96 and 32579/96, *Aydin and Yunus v. Turkey*, nos. 32572/96 and 33366/96, *Bakbak v. Turkey*, no. 39812/98, *Mehmet Emin Yüksel v. Turkey*, no. 40154/98, *Ikincisoy v. Turkey*, no. 26144/95, *A.A. and others v. Turkey*, no. 30015/96, *Çelik and İmret v. Turkey*, no. 44093/98, *Tuncer and Durmuş v. Turkey*, no. 30494/96, *Talat Tepe v. Turkey*, no. 31247/96, *Balogh v. Hungary*, no. 47940/99, *Ilaşcu and others v. Moldova and Russia* [GC], no. 48787/99, and *Martinez Sala and others v. Spain*, no. 58438/00)

- ill-treatment of a prisoner sentenced to death – forcible administration of drugs, handcuffing, beatings, electroshocks and “irradiation” (*Gennadiy Naumenko v. Ukraine*, no. 42023/98)

- ill-treatment by the police and, in some case, lack of an effective investigation (*R.L. and M.-J.D. v. France*, no. 44568/98, *Krastanov v. Bulgaria*, no. 50222/99, *Toteva v. Bulgaria*, no. 42027/98, and *Barbu Anghelescu v. Romania*, no. 46430/99)

- assault on a detainee by a police officer claiming to have acted in self-defence (*Rivas v. France*, no. 59584/00)

- rounding up and ill-treatment of villagers by the security forces, and ill-treatment of detainees, including a forced march in snow without adequate clothing (*Ahmet Özkan v. Turkey*, no. 21689/93)

- conditions of detention (*Slimani v. France*, no. 57671/00, and *Ilaşcu and others v. Moldova and Russia* [GC], no. 48787/99)

- conditions of detention of prisoners sentenced to death (*Iorgov v. Bulgaria*, no. 40653/98, and *G.B. v. Bulgaria*, no. 42346/98)

- continued detention of a disabled prisoner and adequacy of medical care (*Matencio v. France*, no. 58749/00)

- continued detention of a detainee in ill-health and adequacy of medical care (*Sakkopoulos v. Greece*, no. 61828/00)

- refusal to release a prisoner suffering from AIDS (*Gelfmann v. France*, no. 25875/03)

- continued detention of a convicted prisoner despite his advanced age, severe infirmity and poor health (*Farbtuhs v. Latvia*, no. 4672/02)

- threatened expulsion of Tamils to Sri Lanka (*Venkadajalasarma v. the Netherlands*, no. 58510/00, and *Thampibillai v. the Netherlands*, no. 61350/00)

Article 5      *Cases concerning the right to liberty and security*

- unlawful detention (*Gusinskiy v. Russia*, no. 70276/01, and *İkincisoay v. Turkey*, no. 26144/95)
- detention on the basis of a conviction by the Supreme Court of “the Moldavian Republic of Transdnistria” (*Ilaşcu and others v. Moldova and Russia* [GC], no. 48787/99)
- continued detention of the applicant in the Ajarian Autonomous Republic, despite an order of the Georgian Supreme Court to release him following his acquittal (*Assanidze v. Georgia* [GC], no. 71503/01)
- failure to comply with the requirements of domestic law and lack of proper custody records (*Ahmet Özkan v. Turkey*, no. 21689/93)
- absence of reasonable suspicion justifying detention (*Tuncer and Durmuş v. Turkey*, no. 30494/96, and *Talat Tepe v. Turkey*, no. 31247/96)
- continued detention on remand without any legal basis after expiry of a detention order (*D.P. v. Poland*, no. 34221/96, and *G.K. v. Poland*, no. 38816/97)
- detention in a remand centre while awaiting transfer to a custodial clinic (*Morsink v. the Netherlands*, no. 48865/99, and *Brand v. the Netherlands*, no. 49902/99)
- delay in implementing orders to release from detention (*Bojinov v. Bulgaria*, no. 47799/99, *Mitev v. Bulgaria*, no. 40063/98, and *Bojilov v. Bulgaria*, no. 45114/98)
- absence of justification for arrest, and lawfulness of detention for psychiatric assessment (*R.L. and M.-J.D. v. France*, no. 44568/98)
- lawfulness of psychiatric detention and absence of a proper review of the lawfulness of detention (*Tám v. Slovakia*, no. 50213/99)
- confinement as an “informal patient” of a person incapable of giving or refusing consent, and lack of a proper review of the lawfulness of the detention (*H.L. v. the United Kingdom*, no. 45508/99)
- detention of a person under the influence of alcohol (*Hilda Hafsteinsdóttir v. Iceland*, no. 40905/98)
- absence of a proper review of the lawfulness of detention on remand (*Klyakhin v. Russia*, no. 46082/99)
- absence of any possibility of a court review of the lawfulness of house arrest (*Vachev v. Bulgaria*, no. 42987/98, and *Nikolova v. Bulgaria (no. 2)*, no. 40896/98)
- absence of any possibility of challenging an application to the Supreme Court to prolong detention on remand (*G.K. v. Poland*, no. 38816/97)
- failure to deal with a request for release from detention on remand made immediately before conviction (*König v. Slovakia*, no. 39753/98)
- absence of a review of the lawfulness of continuing detention on the basis of a mandatory life sentence (*Hill v. the United Kingdom*, no. 19365/02; cf. *Stafford v. the United Kingdom* [GC], judgment of 28 May 2002)
- absence of a hearing in connection with the prolongation of detention on remand (*Frommelt v. Liechtenstein*, no. 49158/99)

- length of time taken to decide on requests for release from detention on remand (*Pavletić v. Slovakia*, no. 39359/98, and *Mitev v. Bulgaria*, no. 40063/98)

Article 6      *Cases concerning the right to a fair trial*

- fairness of proceedings relating to an appeal by a civil party against a decision of “no case to answer” (*Perez v. France* [GC], no. 47287/99)

- parliamentary immunity attaching to alleged defamation by a Member of Parliament (*De Jorio v. Italy*, no. 73936/01)

- expiry of the time-limit for having a debtor declared bankrupt, as a result of delays by the authorities in providing the court with information (*Nordica Leasing s.p.a. v. Italy*, no. 51739/99)

- exclusion of the jurisdiction of the courts with regard to certain civil disputes (*Tregubenko v. Ukraine*, no. 61333/00)

- exclusion of court review of a decision of a property commission (*Związek Nauczycielstwa Polskiego v. Poland*, no. 42049/98), of the dismissal of employees of the State railway company (*Pramov v. Bulgaria*, no. 42986/98, and *Neshev v. Bulgaria*, no. 40897/98) and of administrative decisions of a procedural nature (*Kilián v. the Czech Republic*, no. 48309/99)

- supervisory review of a final and binding judgment (*Tregubenko v. Ukraine*, no. 61333/00, and *Svetlana Naumenko v. Ukraine*, no. 41984/98)

- reconsideration of a final judgment on the basis of newly discovered circumstances, although these were already known (*Pravednaya v. Russia*, no. 69529/01)

- reopening of proceedings which had ended with a final and binding judgment ordering return of property previously nationalised, following the lodging of a request out of time (*Androne v. Romania*, no. 54062/00; cf. *Brumărescu v. Romania*, judgment of 28 October 1999)

- refusal of both the civil and the administrative courts to address the merits of a claim (*Beneficio Cappella Paolini v. San Marino*, no. 40786/98)

- dismissal of a constitutional complaint on the ground of failure to comply with a formality (*Kadlec and others v. the Czech Republic*, no. 49478/99)

- rejection of cassation appeal on account of failure to comply with formal requirement, although the appeal had been declared admissible several years earlier (*Saez Maeso v. Spain*, no. 77837/01)

- rejection of a first constitutional complaint because a cassation appeal lodged at the same time was pending, and rejection of a subsequent constitutional complaint as out of time, the cassation appeal not being taken into account for that purpose (*Vodárenská Akciová Společnost A.S. v. the Czech Republic*, no. 73577/01)

- refusal of the Constitutional Court to examine the merits of a constitutional complaint which it considered to be directed against the first instance decision rather than against the appeal judgment (*Bulena v. the Czech Republic*, no. 57567/00)

- refusal of legal aid in the context of divorce proceedings (*Santambrogio v. Italy*, no. 61945/00)

- adoption of legislation retroactively reducing the amount of reimbursement of contributions paid by bodies administering private schools and affecting the outcome of pending court proceedings (*Ogis-Institut Stanislas and others v. France*, nos. 42219/98 and 54563/00)

- adoption of legislation affecting the outcome of pending court proceedings (*Scordino v. Italy (no. 1)*, no. 36813/97)
- adoption of a regional law allegedly for the purpose of circumventing a binding court judgment, and lack of equality of arms in proceedings concerning a preliminary question submitted to the Constitutional Court (*Gorraiz Lizarraga and others v. Spain*, no. 62543/00)
- refusal of the civil courts to enforce an arbitration court decision ordering the conclusion of a contract for the transfer of property (*Kačmár v. Slovakia*, no. 40290/98)
- non-enforcement by a private institute of court decisions granting adoption of children (*Pini and others v. Romania*, nos. 78028/01 and 78030/01)
- delays by authorities in complying with court judgments (*Sabin Popescu v. Romania*, no. 48102/99, *Croitoru v. Romania*, no. 54400/00, *Prodan v. Moldova*, no. 49806/99, *Sîrbu and others v. Moldova*, nos. 73562/01, 73565/01, 73712/01, 73744/01, 73972/01 and 73973/01, *Luntre and others v. Moldova*, nos. 2916/02, 21960/02, 21951/02, 21941/02, 21933/02, 20491/02, 2676/02, 23594/02, 21956/02, 21953/02, 21943/02, 21947/02 and 21945/02, *Pasteli and others v. Moldova*, nos. 9898/02, 9863/02, 6255/02 and 10425/02, *Bocancea and others v. Moldova*, nos. 18872/02, 20490/02, 18745/02, 6241/02, 6236/02, 21937/02, 18842/02, 18880/02 and 18875/02, *Croitoru v. Moldova*, no. 18882/02, *Țîmbal v. Moldova*, no. 22970/02, *Shmalko v. Ukraine*, no. 60750/00, *Zhovner v. Ukraine*, no. 56848/00, *Piven v. Ukraine*, no. 56849/00, *Voytenko v. Ukraine*, no. 18966/02, *Romashov v. Ukraine*, no. 67534/01, *Bakalov v. Ukraine*, no. 14201/02, *Bakay and others v. Ukraine*, no. 67647/01, *Mykhaylenky v. Ukraine*, nos. 35091/02, 35196/02, 35201/02, 35204/02, 35945/02, 35949/02, 35953/02, 36800/02, 38296/02 and 42814/02, *Derkach and Palek v. Ukraine*, nos. 34297/02 and 39574/02, *Metaxas v. Greece*, no. 8415/02, *Zazanis and others v. Greece*, no. 68138/01, *Mancheva v. Bulgaria*, no. 39609/98, *Wasserman v. Russia*, no. 15021/02 and *Qufaj Co.Sh.P.K. v. Albania*, no. 54268/00)
- failure of the authorities to comply with a court judgment on account of their inability to locate the file (*Loiseau v. France*, no. 46809/99)
- fairness of proceedings concerning child custody and access (*Görgülü v. Germany*, no. 74969/01)
- fairness of civil proceedings, in particular the participation of a different presiding judge at each hearing (*Pitkänen v. Finland*, no. 30508/96)
- application of a special procedure for defamation via the press, minimum level of damages, and failure of the court to give adequate reasons (*Rizos and Daskas v. Greece*, no. 65545/01)
- failure to give reasons for refusal of compensation for detention on remand (*Sakkopoulos v. Greece*, no. 61828/00)
- non-disclosure to a party of medical opinions obtained by the social insurance courts, and inadequacy of the reasons given for their decisions (*H.A.L. v. Finland*, no. 38267/97)
- refusal to hear witness requested by a party to civil proceedings (*Tamminen v. Finland*, no. 40847/98)
- lack of an oral hearing in administrative proceedings (*Valová and others v. Slovakia*, no. 44925/98)
- independence and impartiality of an expert judge who was simultaneously a Member of Parliament (*Pabla Ky v. Finland*, no. 47221/99)
- impartiality of lay assessors nominated by employers' and employees' associations to sit in the Labour Court (*AB Kurt Kellermann v. Sweden*, no. 41579/98)

- examination of a request for retrial by the same judges who had dealt with the merits of the case (*San Leonard Band Club v. Malta*, no. 77562/01)
- impartiality of a Deputy President of a Regional Court participating in a decision on supervisory review which he had requested (*Svetlana Naumenko v. Ukraine*, no. 41984/98)
- impartiality of an appeal court judge who, in previous civil proceedings brought by the applicants, had acted as the legal representative of the opposing party (*Puolitaival and Pirttiahov v. Finland*, no. 54857/00)
- rejection of a criminal cassation appeal as a result of the failure of an official to comply with a formality (*Boulougouras v. Greece*, no. 66294/01)
- obligation to comply with an arrest warrant as a prerequisite to contesting a default judgment declaring an appeal inadmissible and refusal of court to allow lawyer to represent absent appellant (*Maat v. France*, no. 39001/97)
- withdrawal of an appeal in the belief that the Advocate General had undertaken to secure remission of the sentence (*Marpa Zeeland BV and Metal Welding BV v. the Netherlands*, no. 46300/99)
- scope of review of tax fines (*Silvester's Horeca Service v. Belgium*, no. 47650/99)
- summary trial of soldier by commanding officer and denial of legal assistance (*Thompson v. the United Kingdom*, no. 36256/97)
- request for supervisory review of a final acquittal (*Nikitin v. Russia*, no. 50178/99)
- refusal of the authorities of the Ajarian Autonomous Republic to comply with an order of the Georgian Supreme Court to release the applicant following his acquittal (*Assanidze v. Georgia* [GC], no. 71503/01)
- effective participation of a child in his trial (*S.C. v. the United Kingdom*, no. 60958/00)
- non-disclosure by the prosecution, on the ground of public interest immunity, of material potentially relevant to a defence of entrapment (*Edwards and Lewis v. the United Kingdom* [GC], nos. 39647/98 and 40461/98)
- use at trial of statements made to a receiver in bankruptcy under the threat of a sanction (*Kansal v. the United Kingdom*, no. 21413/02)
- lack of an oral hearing in a criminal appeal (*Dondarini v. San Marino*, no. 50545/99)
- independence and impartiality of courts martial (*G.W. v. the United Kingdom*, no. 34155/96, *Le Petit v. the United Kingdom*, no. 35574/97, and *Miller and others v. the United Kingdom*, nos. 45825/99, 45826/99 and 45827/99; cf. *Findlay v. the United Kingdom*, judgment of 25 February 1997, and *Cooper v. the United Kingdom* and *Grievess v. the United Kingdom*, judgments of 16 December 2003)
- independence and impartiality of a State Security Court dealing with drugs offences (*Canevi and others v. Turkey*, no. 40395/98)
- impartiality of a judge who had previously acted as prosecutor in the same case (*Pavletić v. Slovakia*, no. 39359/98)
- impartiality of judges of the Court of Cassation participating in examination of an appeal on points of law against a conviction, after having previously participated in examination of an appeal on points of law against the decision to commit for trial (*Deptets v. France*, no. 53971/00)

- impartiality of trial judges who had previously participated in an appeal decision concerning preventive measures (*Cianetti v. Italy*, no. 55634/00)
- imposition of a sanction of detention on a lawyer for contempt of court (*Kyprianou v. Cyprus*, no. 73797/01; the case is now pending before the Grand Chamber)
- imposition of a fine on the owner of a car for providing insufficiently accurate information when required to disclose who was driving the car when it exceeded the speed limit (*Weh v. Austria*, no. 38544/97)
- breach of the presumption of innocence on account of statements made by the police to the press (*Y.B. and others v. Turkey*, nos. 48173/99 and 48319/99)
- presumption of responsibility of an editor for defamatory information broadcast repeatedly on live radio (*Radio France and others v. France*, no. 53984/00)
- refusal of compensation for detention on remand, following acquittal, on the ground that the claimants would have been convicted on an alternative charge (*Del Latte v. the Netherlands*, no. 44760/98)
- continuation of a criminal trial throughout the night (*Makhfi v. France*, no. 59335/00)
- failure to hear an accused personally in administrative criminal proceedings (*Yavuz v. Austria*, no. 46549/99)
- making of an order binding over to keep the peace and to be of good behaviour, without any opportunity to make submissions about the terms of the order (*Hooper v. the United Kingdom*, no. 42317/98)
- conviction *in absentia* and refusal to reopen the proceedings, despite doubts as to the effectiveness of notification (*Somogyi v. Italy*, no. 67972/01), and conviction *in absentia*, without personal notification, of a person declared to be a fugitive (*Sejdovic v. Italy*, no. 56581/00)
- refusal to hear witnesses requested by the accused (*Laukkanen and Manninen v. Finland*, no. 50230/99, and *Morel v. France (no. 2)*, no. 43284/98)
- conviction on appeal, following acquittal at first instance, without hearing the defence witnesses who had testified at the trial (*Destrehem v. France*, no. 56651/00)

Article 7      *Cases concerning non-retroactivity of criminal offences and penalties*

- retroactive application of a criminal law (*Puhk v. Estonia*, no. 55103/00; cf. *Veeber v. Estonia (no. 2)*, judgment of 21 January 2003)
- imposition of a heavier sentence on a recidivist, on the basis of a new law which had come into force after expiry of the original period relating to recidivism (*Achour v. France*, no. 67335/01)
- foreseeability of the conviction of a radio journalist and an editor for repeated broadcasts of defamatory information on live radio (*Radio France and others v. France*, no. 53984/00)



Article 8      *Cases concerning the right to respect for private and family life, home and correspondence*

- administration of a drug to a severely handicapped child against the wishes of his parent (*Glass v. the United Kingdom*, no. 61827/00)
- absence of protection against publication of photographs taken of a public figure in public places (*Von Hannover v. Germany*, no. 59320/00)
- failure of the authorities to comply with a court decision annulling authorisation to operate a gold mine, on account of the effect on the environment, and subsequent granting of a new authorisation (*Taşkin and others v. Turkey*, no. 46117/99)
- failure of the authorities to prevent excessive nuisance from night-clubs and bars (*Moreno Gómez v. Spain*, no. 4143/02)
- adequacy of the legal basis for recording of a detainee's telephone conversations, retention and subsequent use of the recordings in criminal proceedings (*Doerga v. the Netherlands*, no. 50210/99)
- absence of legal basis for covert recording of conversations in police custody (*Wood v. the United Kingdom*, no. 23414/02 – cf. *Khan v. the United Kingdom*, judgment of 12 May 2000, *Taylor-Sabori v. the United Kingdom*, judgment of 22 October 2000, and *Allan v. the United Kingdom*, judgment of 5 December 2002)
- exclusion of an unacknowledged illegitimate child from father's succession (*Haas v. the Netherlands*, no. 36983/97)
- adequacy of measures taken by the authorities to enforce rights of access to children by a mother (*Kosmopoulou v. Greece*, no. 60457/00) and by a father (*Voleský v. the Czech Republic*, no. 63627/00)
- adequacy of measures taken to ensure compliance by a private institution with court decisions granting adoption of children by foreign parents (*Pini and others v. Romania*, nos. 78028/01 and 78030/01)
- refusal to grant custody to the father of a child born out of wedlock and given up by the mother for adoption, suspension of his right of access and sufficiency of his involvement in the proceedings (*Görgülü v. Germany*, no. 74969/01)
- refusal to grant a father access to his child born out of wedlock (*Lebbink v. the Netherlands*, no. 45582/99)
- taking into care of seven children, including a 7-day old baby, on an emergency basis, without providing the parents with an opportunity to contest the order (*Haase v. Germany*, no. 11057/02)
- keeping of children in public care and restrictions on the mother's contacts with them (*Couillard Maugery v. France*, no. 64796/01)
- withdrawal of parental rights as an automatic consequence of the imposition of a prison sentence (*Sabou and Pircalab v. Romania*, no. 46572/99)
- expulsion of an 18-year old following a criminal conviction after eight years of residence (*Radovanovic v. Austria*, no. 42703/98)
- refusal, on security grounds, to permit the return of villagers to their homes (*Doğan and others v. Turkey*, nos. 8803/02, 8804/02, 8805/02, 8806/02, 8807/02, 8808/02, 8809/02, 8810/02, 8811/02, 8813/02, 8815/02, 8816/02, 8817/02, 8818/02 and 8819/02)

- eviction from a local authority gypsy caravan site without providing an opportunity to contest the grounds for eviction (*Connors v. the United Kingdom*, no. 66746/01)
- termination of a specially protected tenancy on the ground of the tenant's absence for more than six months during the war in Croatia (*Blečić v. Croatia*, no. 59532/00; the case is now pending before the Grand Chamber)
- eviction of the partner of a deceased tenant without following the proper procedure (*Prokopovich v. Russia*, no. 58255/00)
- search of a home and of company offices and seizure of documents (*Van Rossem v. Belgium*, no. 41872/98)
- adequacy of the measures taken by the authorities to stop incursions into the applicant's courtyard by third parties granted title to the land by an administrative authority despite recognition of the applicant's title by the courts (*Surugiu v. Romania*, no. 48995/99)
- absence of a clear legal basis for the opening of a bankrupt's correspondence by the trustee (*Narinen v. Finland*, no. 45027/98)

Article 9      *Cases concerning freedom of religion and belief*

- refusal of a building permit for a place of worship for "True Orthodox Christians" (*Vergos v. Greece*, no. 65501/01)
- restrictions on wearing of the Muslim head covering in universities (*Leyla Şahin v. Turkey*, no. 44774/98; the case is now pending before the Grand Chamber)
- recognition by the State of one of two rival leaderships of the Muslim community at expense of the other (*Supreme Holy Council of the Muslim Community v. Bulgaria*, no. 39023/97; cf. *Hasan and Chaush v. Bulgaria*, judgment of 26 October 2000)

Article 10      *Cases concerning freedom of expression*

- conviction of a radio journalist and an editor for defamation, and imposition on a radio station of the obligation to broadcast information about the judgment (*Radio France and others v. France*, no. 53984/00)
- award of damages against an environmental association for defamation of a mayor in a resolution published in a newspaper (*Vides Aizsardzības Klubs v. Latvia*, no. 57829/00)
- conviction of an author, a publishing company and its director for defamation of members of the French Resistance (*Chauvy and others v. France*, no. 64915/01)
- award of damages against a publisher for defamation of a Supreme Court judge (*Hrico v. Slovakia*, no. 49418/99)
- conviction of journalists for defamation of a prosecutor (*Rizos and Daskas v. Greece*, no. 65545/01), of a judge (*Sabou and Pircalab v. Romania*, no. 46572/99), of a surgeon (*Selistö v. Finland*, no. 56767/00) and of several civil servants (*Busuioc v. Moldova*, no. 61513/00)
- conviction of a journalist and a newspaper editor for defamation of a former legal adviser to a local authority (*Cumpănă and Mazăre v. Romania* [GC], no 33348/96)

- conviction of a newspaper and editor for infringement of privacy by referring to a Member of Parliament in a report on criminal proceedings against her husband (*Karhuvaara and Iltalehti v. Finland*, no. 53678/00)
- conviction of the producers of a television programme for defamation of a senior police officer (*Pedersen and Baadsgaard v. Denmark* [GC], no. 49017/99)
- conviction of a translator for defaming the armed forces in the translation of a report of a human rights non-governmental organisation (*Kürkçü v. Turkey*, no. 43996/98)
- imposition of an administrative fine on a lawyer for criticising a decision of the Constitutional Court in an interview with a journalist (*Amihalachioaie v. Moldova*, no. 60115/00)
- temporary injunction, followed by a permanent injunction, on dissemination, after the death of President Mitterand, of a book describing his treatment for undisclosed cancer (*Plon (Société) v. France*, no. 58148/00)
- dismissal of former KGB officers from posts in the public service and imposition of employment restrictions, allegedly on account of their views (*Sidabras and Dziautas v. Lithuania*, nos. 55480/00 and 59330/00)

Article 11      *Cases concerning freedom of association*

- refusal to register an association as a Silesian “national minority” (*Gorzelik and others v. Poland* [GC], no. 44158/98)
- refusal to renew registration of a political party (*Presidential Party of Mordovia v. Russia*, no. 65659/01)
- suspension of the activities of a political association (*Vatan v. Russia*, no. 47978/99)
- imposition of a disciplinary sanction on a judge on account of his membership of the freemasons (*Maestri v. Italy*, no. 39748/98)
- ineligibility to stand as candidate in parliamentary elections and termination of a mandate as a local councillor, on account of involvement in the Communist Party in 1991 (*Ždanoka v. Latvia*, no. 58278/00; the case is now pending before the Grand Chamber)

Article 14      *Cases concerning the prohibition of discrimination*

- racial discrimination: shooting by military police of two unarmed Roma conscripts who had escaped from detention imposed for being absent without leave (*Nachova and others v. Bulgaria*, nos. 43577/98 and 43579/98; the case is now pending before the Grand Chamber)
- discrimination against member of the Turkish-Cypriot community with regard to voting rights (*Aziz v. Cyprus*, no. 69949/01)
- obligation of a married woman to take her husband’s surname (*Ünal Tekeli v. Turkey*, no. 29865/96)
- exclusion of an adopted child from an inheritance on the basis of interpretation of a 1939 will which referred to “children of a legitimate marriage” (*Pla and Puncernau v. Andorra*, no. 69498/01)
- discrimination with regard to the inheritance rights of children born of an adulterous relationship (*Merger and Cros v. France*, no. 68864/01)

- different age of consent for homosexual and for heterosexual acts (*B.B. v. the United Kingdom*, no. 53760/00; cf. *Sutherland v. the United Kingdom*, judgment of 27 March 2001)
- exclusion of former KGB officers from employment in certain private sector spheres (*Sidabras and Dziautas v. Lithuania*, nos. 55480/00 and 59330/00)

Article 1 of Protocol No. 1 *Cases concerning the right of property*

- failure of the State to fulfil an obligation to provide property in compensation for land abandoned at the end of the Second World War in territory “beyond the Bug River” (*Broniowski v. Poland* [GC], no. 31443/96)
- refusal to order the return of confiscated coins, on account of failure to specify their whereabouts (*Kopecký v. Slovakia* [GC], no. 44912/98)
- destruction of the applicant’s home and possessions as a result of an explosion at a rubbish tip (*Öneryildiz v. Turkey* [GC], no. 48939/99)
- damage to property as a result of shelling by the security forces, and subsequent denial of access to the property (*Mehmet Şirin Yılmaz v. Turkey*, no. 35875/97)
- obligation of the heirs of owners of land acquired by virtue of land reform in the former German Democratic Republic to reassign it to the tax authorities, without compensation (*Jahn and others v. Germany*, nos. 46720/99, 72203/01 and 72552/01; the case is now pending before the Grand Chamber)
- confiscation of possessions following trial (*Ilaşcu and others v. Moldova and Russia*, no. 48787/99)
- deprivation of property following the reopening of proceedings which had ended with a final and binding judgment ordering return of property previously nationalised (*Androne v. Romania*, no. 54062/00; cf. *Brumărescu v. Romania*, judgment of 28 October 1999)
- deprivation of property as a result of the reopening of proceedings in which a restitution agreement was approved (*Valová and others v. Slovakia*, no. 44925/98)
- effect of supervisory review on a property claim (*Tregubenko v. Ukraine*, no. 61333/00)
- reduction of a pension entitlement following reconsideration of a final judgment (*Pravednaya v. Russia*, no. 69529/01)
- loss of pension rights as an automatic consequence of dismissal from the civil service (*Azinas v. Cyprus* [GC], no. 56679/00)
- termination of a disability pension as a result of changes to the conditions for entitlement (*Kjartan Ásmundsson v. Iceland*, no. 60669/00)
- denial of benefits during a lengthy period on account of the length of proceedings, and supervisory review of final and binding decision (*Svetlana Naumenko v. Ukraine*, no. 41984/98)
- retroactive reduction in the amount of reimbursement of contributions paid by bodies administering private schools (*Ogis-Institut Stanislas and others v. France*, nos. 42219/98 and 54563/00)
- obligation of accountants to remit earnings to the State following annulment of the law liberalising the profession (*Kliafis v. Greece*, no. 66810/01)

- virtual extinction of a guarantor's claim against the principal debtor as a result of debt adjustment (*Bäck v. Finland*, no. 37598/97)
- prolonged building prohibition (*Scordino v. Italy (no. 2)*, no. 36815/97)
- prolonged suspension of building work on account of the authorities' opposition, despite existence of planning permission (*Assymomitis v. Greece*, no. 67629/01)
- refusal to order eviction of a tenant, notwithstanding the landlord's offer of alternative premises (*Schirmer v. Poland*, no. 68880/01)
- non-enforcement of an arbitration court decision ordering the conclusion of a contract for the transfer of property (*Kačmár v. Slovakia*, no. 40290/98)
- failure of the authorities to comply with an order to demolish a wall, confirmed to be binding by the Council of State (*Fotopoulou v. Greece*, no. 66725/01)
- delays by the authorities in complying with court judgments concerning property rights or ordering payment of sums (*Sabin Popescu v. Romania*, no. 48102/99, *Croitoru v. Romania*, no. 54400/00, *Prodan v. Moldova*, no. 49806/99, *Sîrbu and others v. Moldova*, nos. 73562/01, 73565/01, 73712/01, 73744/01, 73972/01 and 73973/01, *Luntre and others v. Moldova*, nos. 2916/02, 21960/02, 21951/02, 21941/02, 21933/02, 20491/02, 2676/02, 23594/02, 21956/02, 21953/02, 21943/02, 21947/02 and 21945/02, *Pasteli and others v. Moldova*, nos. 9898/02, 9863/02, 6255/02 and 10425/02, *Bocancea and others v. Moldova*, nos. 18872/02, 20490/02, 18745/02, 6241/02, 6236/02, 21937/02, 18842/02, 18880/02 and 18875/02, *Croitoru v. Moldova*, no. 18882/02, *Țîmbal v. Moldova*, no. 22970/02, *Metaxas v. Greece*, no. 8415/02, *Zhovner v. Ukraine*, no. 56848/00, *Piven v. Ukraine*, no. 56849/00, *Voytenko v. Ukraine*, no. 18966/02, *Shmalko v. Ukraine*, no. 60750/00, *Bakalov v. Ukraine*, no. 14201/02, *Mykhaylenky v. Ukraine*, nos. 35091/02, 35196/02, 35201/02, 35204/02, 35945/02, 35949/02, 35953/02, 36800/02, 38296/02 and 42814/02, *Derkach and Palek v. Ukraine*, nos. 34297/02 and 39574/02, *Angelov v. Bulgaria*, no. 44076/98, *Mancheva v. Bulgaria*, no. 39609/98, and *Wasserman v. Russia*, no. 15021/02)
- termination of a specially protected tenancy on the ground of the tenant's absence for more than six months during the war in Croatia (*Blečić v. Croatia*, no. 59532/00; the case is now pending before the Grand Chamber)
- irregular manner of termination of a 300-year old lease of State property (*Bruncrona and others v. Finland*, no. 41673/98)
- refusal, on security grounds, to permit return of villagers to their property (*Doğan and others v. Turkey*, nos. 8803/02, 8804/02, 8805/02, 8806/02, 8807/02, 8808/02, 8809/02, 8810/02, 8811/02, 8813/02, 8815/02, 8816/02, 8817/02, 8818/02 and 8819/02)
- refusal to return part of an expropriated property which was not used for the purposes for which it was expropriated (*Beneficio Cappella Paolini v. San Marino*, no. 40786/98)
- prescription of property rights on the basis of 20 years of occupation by the State, without compensation (*I.R.S. and others v. Turkey*, no. 26338/95)
- adequacy of compensation for expropriation (*Scordino v. Italy (no. 1)*, no. 36813/97; a request for referral to the Grand Chamber is pending)

Article 3 of Protocol No. 1 *Cases concerning the right to free elections*

- impossibility for a member of the Turkish-Cypriot community to participate in elections, on account of refusal of registration on the Greek-Cypriot electoral roll and the inexistence of a Turkish-Cypriot roll (*Aziz v. Cyprus*, no. 69949/01)
- disenfranchisement of convicted prisoners (*Hirst v. the United Kingdom (no. 2)*, no. 74025/01; the case is now pending before the Grand Chamber)
- delay in striking off the electoral list following disenfranchisement as a consequence of the imposition of preventive measures (*Vito Sante Santoro v. Italy*, no. 36681/97)
- refusal to register as an electoral candidate, on the ground of having given untruthful information, namely giving the official registered address although living abroad (*Melnychenko v. Ukraine*, no. 17707/02; a request for referral to the Grand Chamber is pending)
- ineligibility to stand as a candidate in parliamentary elections on account of involvement in the Communist Party in 1991 (*Ždanoka v. Latvia*, no. 58278/00; the case is now pending before the Grand Chamber)

Article 2 of Protocol No. 4 *Cases concerning principally freedom of movement*

- refusal to allow children adopted by foreign parents to leave the country (*Pini and others v. Romania*, nos. 78028/01 and 78030/01)
- lawfulness of continued restrictions on freedom of movement following the expiry of preventive measures (*Vito Sante Santoro v. Italy*, no. 36681/97)

Article 4 of Protocol No. 7 *Cases concerning principally the right not to be tried or punished twice*

- request by the Prosecutor General for supervisory review of a final acquittal (*Nikitin v. Russia*, no. 50178/99)

**(b) Judgments dealing exclusively with issues already examined by the Court**

- 207 cases concerned the length of civil or administrative proceedings in: Poland (61 judgments, including three friendly settlements), France (24 judgments, including two friendly settlements), the Czech Republic (20 judgments, including one friendly settlement), Greece (17 judgments), Hungary (16 judgments), Italy (11 judgments), Belgium (11 judgments, including two striking out judgments and one friendly settlement), Austria and Slovakia (six judgments each, including one friendly settlement each), Russia and Turkey (five judgments), Portugal (five judgments<sup>1</sup>, including one friendly settlement), Bulgaria and Croatia (four judgments each<sup>2</sup>), Sweden (three friendly settlement judgments), Ireland and Spain (two judgments each), Germany, Luxembourg and the United Kingdom (one judgment each), Denmark and the Netherlands (one friendly settlement judgment each)
- 41 cases concerned the length of criminal proceedings in: France (nine judgments<sup>3</sup>), Poland (six judgments<sup>4</sup>), Greece (four judgments<sup>5</sup>), Austria and Bulgaria (four judgments each), the Czech Republic and the United Kingdom (three judgments each), Hungary (two judgments), Denmark, Finland, Turkey and Ukraine (one judgment each<sup>6</sup>), Lithuania and Portugal (one friendly settlement judgment each)
- 49 cases concerned the lack of independence and impartiality of State Security Courts dealing with offences under counter-terrorism legislation in Turkey<sup>7</sup> (cf. the leading judgments of *Incal v. Turkey*, judgment of 9 June 1998, and *Çiraklar v. Turkey*, judgment of 28 October 1998); the same issue also arose in numerous judgments dealing with freedom of expression (see below), as well as in two other judgments
- 20 cases (including one friendly settlement) concerned both the lack of independence and impartiality of State Security Courts in Turkey and convictions for dissemination of separatist propaganda and/or incitement to hatred and hostility<sup>8</sup>; a violation of Article 10 alone was found in a further judgment
- one case concerned the lack of independence and impartiality of a martial law court in Turkey (cf. the leading judgment of *Şahiner v. Turkey*, judgment of 25 September 2001), as well as the length of the criminal proceedings
- 35 cases concerned delays in payment of compensation for expropriations in Turkey (cf. the leading judgment of *Akkus v. Turkey*, judgment of 9 July 1997)
- 27 cases (including 20 friendly settlements) concerned the staying of civil proceedings relating to claims for compensation for damage caused by terrorism or by the armed forces or police during the war in Croatia (cf. the leading judgments of *Kutić v. Croatia*, judgment of 1 March 2002, and *Multiplex v. Croatia*, judgment of 10 July 2003)
- 18 cases (including seven friendly settlements) concerned the impossibility for landlords in Italy to recover possession of their properties, on account of the system of staggering police assistance to enforce evictions (cf. the leading judgment of *Immobiliare Saffi v. Italy*, judgment of 28 July 1999)

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<sup>1</sup> Two of these cases also raised issues under Article 1 of Protocol No. 1 with regard to the delay in fixing and paying final compensation for expropriation.

<sup>2</sup> Two of the judgments concerning Croatia also related to the effect of the delay in enforcement proceedings on securing eviction of tenants.

<sup>3</sup> One case also concerned the length of administrative proceedings and another also concerned the length of proceedings relating to a complaint about the excessive length of criminal proceedings.

<sup>4</sup> One case also concerned civil proceedings.

<sup>5</sup> In one case, no violation was found.

<sup>6</sup> No violation was found in the case concerning Denmark.

<sup>7</sup> In two of these, the length of the proceedings was also at issue.

<sup>8</sup> Violations of both Article 6 and Article 10 were found in all but one of case, in which the conviction of a publisher on account of his membership of an illegal organisation was found not to have been in violation of the latter provision.

- 17 cases concerned various aspects of the right to an adversarial procedure and equality of arms in proceedings before the Court of Cassation in France, in particular the non-disclosure of the report of the *conseiller rapporteur* (cf. the leading judgments of *Reinhardt and Slimane-Kaïd v. France*, judgment of 31 March 1998, *Slimane-Kaïd v. France*, judgment of 25 January 2000), the position of unrepresented appellants (see the leading judgment of *Meftah v. France*, judgment of 26 July 2002) or, in one case, an appellant represented by a lawyer not belonging to the Supreme Court Bar, and the presence of the *avocat général* during the court's deliberations (cf. *Kress v. France*, judgment of 7 June 2000, which concerned the procedure before the *Conseil d'Etat*); one case also concerned the length of the proceedings
- seven cases concerned the failure to bring detainees promptly before a judge in Turkey<sup>1</sup>; the same issue was raised in five other cases
- five cases (including one friendly settlement) concerned the destruction of possessions and homes by the security forces in Turkey<sup>2</sup>; the same matter was also partly at issue in a further judgment
- three cases concerned the annulment of final decisions ordering the restitution of property in Romania and/or the exclusion of the jurisdiction of the courts in the matter (cf. the leading judgment of *Brumărescu v. Romania*, judgment of 28 October 1999)
- three cases concerned the effect of the excessive length of bankruptcy proceedings in Italy on property rights and/or restrictions on the receipt of correspondence and the freedom of movement of persons declared bankrupt (see the leading judgment of *Luordo v. Italy*, judgment of 17 July 2003)
- one case concerned the ordering of detention on remand by a prosecutor in Poland (cf. the leading judgment of *Niedbala v. Poland*, judgment of 4 July 2000)
- one friendly settlement concerned the unavailability of certain widows' benefits to widowers in the United Kingdom (cf. *Willis v. the United Kingdom*, judgment of 11 June 2002)
- one case concerned the age of consent for homosexual acts between adults and adolescents (see the leading judgments of *L. and V. v. Austria* and *S.L. v. Austria*, judgments of 9 January 2003)
- one case concerned the continuation of detention on remand in Poland by virtue of a practice without any legal basis (cf. the leading judgment of *Baranowski v. Poland*, judgment of 28 March 2000)
- one case concerned the exclusion of court review of conviction by the administrative authorities for certain minor offences in Slovakia (cf. the leading judgments of *Lauko v. Slovakia* and *Kadubec v. Slovakia*, judgments of 2 September 1998)
- one case concerned the failure of a court in Greece to hear the applicant prior to deciding not to award compensation for detention on remand, and the failure to give reasons (cf. the leading judgments of *Georgiadis v. Greece*, judgment of 29 May 1997, and *Karakasis v. Greece*, judgment of 17 October 2000)
- one case concerned the compulsory reforestation of land on basis of a ministerial decision of 1934, without re-examination (cf. *Papastavrou and others v. Greece*, judgment of 10 April 2003)
- one case concerned the lengthy delay in the fixing and payment of compensation in respect of the occupation of land in the context of nationalisation (cf. *Almeida Garrett, Mascarenhas Falcão and others v. Portugal*, judgment of 11 January 2000); two other cases also raised this issue along with the length of the proceedings (see note 3)

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<sup>1</sup> In one case, the only other issue was the the independence and impartiality of the State Security Court, while several cases also raised the absence of a right to review and/or denial of contact with the outside world during the initial period of custody (no violation was found in that respect).

<sup>2</sup> In one case, no violation was found.



- one case concerned the lack of an oral hearing before the Administrative Court in Austria (cf. *Stallinger and Kuso v. Austria*, judgment of 23 April 1997)
- one case concerned the refusal of the courts to allow representation of an absent accused (cf. *Van Geyselghem v. Belgium*, judgment of 21 January 1999)

In addition, a number of cases dealt at least in part with the issues in respect of which the Court has already established clear principles in its case-law: length of detention on remand (eight cases against Bulgaria, six cases against Poland, including one friendly settlement, four cases against Turkey, including two friendly settlements, and one case each against France, Georgia (friendly settlement), Germany, Hungary, Russia and Slovakia; censorship of prisoners' correspondence (two cases against Italy<sup>1</sup>, two cases against Poland<sup>2</sup>, two cases against Russia<sup>3</sup> and one case against France); six cases against Bulgaria concerning the role of investigators and prosecutors in ordering detention<sup>4</sup>; three cases against France (including one friendly settlement) concerning dismissal of an appeal on points of law as a result of the appellant's failure to surrender into custody or, in one case, lodge security, prior to the appeal hearing<sup>5</sup>; and two cases against Poland concerning the absence of any right for a detainee to appear or be represented at hearings relating to the prolongation of detention on remand<sup>6</sup>.

### (c) Friendly settlement judgments

In addition to the friendly settlement judgments mentioned above, friendly settlements were reached in cases concerning the following issues:

- killing of applicants' son by security forces (*Çelik v. Turkey*, no. 41993/98)
- alleged ill-treatment custody, length of detention on remand and length of criminal proceedings (*Kaptan v. Turkey*, no. 46749/99)
- ill-treatment in custody (*Şahmo v. Turkey*, no. 37415/97, *Örnek and Eren v. Turkey*, no. 41306/98, and *Madi v. France*, no. 51294/99)
- alleged ill-treatment in custody; lawfulness of detention and alleged lack of possibility of review; access to court; disclosure of applicant's identity in TV programme about juvenile delinquency; alleged harassment on account of application to Court (*Notar v. Romania*, no. 42860/98)
- alleged ill-treatment by police during search of home (*Temel v. Turkey*, no. 37047/97)
- alleged assault by police and damage to property (*Binbay v. Turkey*, no. 24922/94)
- shelling of village, resulting in injuries to applicants and destruction of their property; lack of effective investigation (*Boztaş and others v. Turkey*, no. 40299/98)
- effectiveness of investigation into allegations of ill-treatment by the police (*Balasoui v. Romania*, no. 37424/97)

<sup>1</sup> Cf. *Calogero Diana v. Italy* and *Domenichini v. Italy*, judgments of 15 November 1996.

<sup>2</sup> In one case, in which the matter was examined under Article 34 of the Convention, no violation was found.

<sup>3</sup> In one case, the Court found a violation of Article 34 of the Convention taken alone, while in the other of it found violations of both Article 8 and Article 34.

<sup>4</sup> Cf. *Assenov v. Bulgaria*, judgment of 28 October 1998, and *Nikolova v. Bulgaria*, judgment of 25 March 1999; two of the cases, as well as a further one, also raised the issue of the scope of review of the lawfulness of detention.

<sup>5</sup> cf. *Omar v. France* and *Guérin v. France*, judgments of 29 July 1998.

<sup>6</sup> cf. *Niedbala v. Poland*, judgment of 4 July 2000, *Włoch v. Poland*, judgment of 19 October 2000, and *Migón v. Poland*, judgment of 25 June 2002.

- detention for non-payment of community charge, local taxes or fines, absence of right to compensation, and unavailability of legal aid for proceedings relating to non-payment of community charge (*Broadhurst v. United Kingdom*, no. 69187/01 and *Edwards and others v. United Kingdom*, nos. 38260/97, 46416/99, 47143/99, 46410/99, 58896/00 and 3859/02)
- lack of oral hearing in proceedings before social security courts (*Romlin v. Sweden*, no. 48630/99)
- enforcement of tax surcharges prior to determination of liability by a court (*Manasson v. Sweden*, no. 41265/98)
- covert video surveillance of a tenant by a local authority (*Martin v. United Kingdom*, no. 63608/00)
- withdrawal of residence permits of Jehovah's Witnesses (*Lotter and Lotter v. Bulgaria*, no. 39015/97)
- refusal to award interest or take depreciation into account on annulment of contract for purchase of property (*Suciu v. Romania*, no. 49009/99)
- delay in enforcing eviction order due to requirement that State provide alternative accommodation (*Kostić v. Croatia*, no. 69265/01)

**(d) Judgments striking applications out of the list of cases**

In addition to strike-out judgments mentioned above, cases concerning the following issue were struck out of the list:

- imposition of disciplinary sanction on person employed under contract by a State enterprise for participating in a one-day stoppage (*Balikçi v. Turkey*, no. 26481/95)
- alleged ill-treatment in custody (*Çalışkan v. Turkey*, no. 32861/96)
- prohibition on wearing of Muslim head covering during clinical sessions at nursing college (*Zeynep Tekin v. Turkey*, no. 41556/98)
- alleged lack of adequate medical care of detainee, lawfulness and length of detention on remand and lack of possibility of review of lawfulness, and alleged breach of presumption of innocence (*Absandze v. Georgia*, no. 57861/00)
- refusal of compensation for detention on remand, on the ground that, despite acquittal, suspicion had not been entirely dissipated (*Reinmüller v. Austria*, no. 69169/01)
- refusal of legal aid for a cassation appeal in divorce proceedings (*Blommen v. Belgium*, no. 47265/99)

**(e) Other judgments**

Eleven judgments concerning just satisfaction (four concerning Greece, three concerning Italy, three concerning Romania, including one friendly settlement and one striking out, and one concerning Austria) and three judgments concerning revision (concerning France, Greece and Romania) were delivered.

*Notes:*

1. The foregoing summaries are intended to highlight the issues raised in cases and do not indicate the Court's conclusion. Thus, a statement such as "ill-treatment in custody..." covers cases in which no violation was found or in which a friendly settlement was reached as well as cases in which a violation was found.

2. The length of court proceedings was at issue in a total of 280 judgments, in 219 of which it was the sole issue, while in a further 24 the only additional issue was the availability of an effective remedy under Article 13. Violations were found in all but eight of the cases in which the merits were addressed, although in a further three there were findings of both violation and no violation in relation to different proceedings.

3. 398 out of the 718 judgments delivered (over 55%) concerned five groups of cases dealing exclusively with the following issues: the length of court proceedings (including the question of effective remedies), the independence and impartiality of State Security Courts in Turkey (alone or in combination with infringements of the right to freedom of expression), delays in payment of compensation for expropriation in Turkey, staying of civil proceedings in Croatia and the problem of securing eviction of tenants in Italy. It may be noted that in 2003, the number of judgments in the first, second and fifth groups were also numerous, whereas there were very few in the other two groups; conversely, one of the main groups of judgments in 2003 – *Brumărescu*-type cases – all but disappeared in 2004. The judgments referred to under (b), (c), (d) and (e) above, totalling 499, account for almost 70% of those delivered in 2004.

4. The highest numbers of judgments concerned the following States:

Turkey	171 (23.82%)
Poland	79 (11.00%)
France	75 (10.45%)
Italy	47 (6.55%)
Greece	40 (5.57%)

The figures in brackets indicate the percentage of the total number of judgments delivered in 2004.

5. All judgments and admissibility decisions (other than those taken by the committees) are available in full text in the Court's case-law database (HUDOC), which is accessible via the Court's internet site: <http://www.echr.coe.int>.

#### **IV. JUDGMENTS AND DECISIONS SELECTED FOR PUBLICATION**

The following judgments and decisions delivered or adopted in 2004 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.

##### **ECHR 2004-I**

(judgments)

47169/99	VOGGENREITER v. Germany (extracts)
36983/97	HAAS v. the Netherlands
53971/00	DEPIETS v. France
47287/99	PEREZ v. France*
39748/98	MAESTRI v. Italy*
44158/98	GORZELIK v. Poland*

(decisions)

59821/00	GUIGUE and SGEN-CFDT v. France
56271/00	SARDINAS ALBO v. Italy (extracts)

##### **ECHR 2004-II**

(judgments)

25760/94	IPEK v. Turkey (extracts)
61827/00	GLASS v. the United Kingdom
53984/00	RADIO FRANCE v. France
71503/01	ASSANDIZE v. Georgia*

(decisions)

58675/00	MARTINIE v. France (extracts)
31697/03	BERDZENISHVILI v. Russia (extracts)
63151/00	STECK-RISCH v. Liechtenstein
69582/01	SARDIN v. Russia

##### **ECHR 2004-III**

(judgments)

26307/95	TAHSIN ACAR v. Turkey*
11057/02	HAASE v. Germany (extracts)
60115/00	AMIHALACHIOAIE v. Moldova
62543/00	GORRAIZ LIZARRAGA and others v. Spain
56679/00	AZINAS v. Cyprus*
49806/99	PRODAN v. Moldova (extracts)

#### **ECHR 2004-IV**

(judgments)

58148/00 PLON v. France  
67972/01 SOMOGYI v. Italy  
70276/01 GUSINSKIY v. Russia  
45582/99 LEBBINK v. the Netherlands  
33097/96) BATI and others v. Turkey (extracts)  
57834/00)  
60958/00 S.C. v. the United Kingdom

(decisions)

56672/00 SENATOR LINES v. EU States\*  
67537/01 SHANNON v. the United Kingdom

49806/99 PRODAN v. Moldova (extracts)

#### **ECHR 2004-V**

(judgments)

31443/96 BRONIOWSKI v. Poland\*  
47221/99 PABLA KY v. Finland  
69949/01 AZIZ v. Cyprus  
78028/01) PINI and BERTANI v. Romania (extracts)  
78030/01)

(decisions)

65681/01 MOREIRA BARBOSA v. Portugal (extracts)  
40057/98 DES FOURS WALDERODE v. the Czech Republic  
994/03 CORNELIS v. the Netherlands (extracts)

#### **ECHR 2004-VI**

(judgments)

59320/00 VON HANNOVER v. Germany  
8803/02) DOĞAN and others v. Turkey (extracts)  
8804/02)  
8805/02)  
8806/02)  
8807/02)  
8808/02)  
8809/02)  
8810/02)  
8813/02)  
8815/02)  
8816/02)  
8817/02)  
8818/02)  
8819/02)

64915/01 CHAUVY and others v. France  
36681/97 VITO SANTE SANTORO v. Italy

(decisions)

Decision on the request for an advisory opinion\*

45656/99 CATALDO v. Italy  
71860/01 ÇIFTÇI v. Turkey  
62584/00 HARABIN v. Slovakia  
11676/04 BOŠKOSI v. the Former Yugoslav Republic of Macedonia

## **ECHR 2004-VII**

(judgment)

48787/99 ILASCU and others v. Moldova and Russia\*

(decisions)

42264/98 W.P. and others v. Poland (extracts)  
58753/00 EUROFINACOM v. France (extracts)

## **ECHR 2004-VIII**

(judgments)

53924/00 VO v. France\*  
42987/98 VACHEV v. Bulgaria (extracts)  
40786/98 BENEFICIO CAPPELLA PAOLINI v. San Marino (extracts)  
69498/01 PLA and PUNCERA v. Andorra  
37598/97 BÄCK v. Finland  
38805/97 K. v. Italy  
50178/99 NIKITIN v. Russia  
55480/00 SIDABRAS and DŽIAUTAS v. Lithuania  
59330/00)

## **Unallocated**

(judgments)

57671/00 SLIMANI v. France (extracts)  
77562/01 SAN LEONARD BAND CLUB v. Malta  
42049/98 ZWIAZEK NAUCZYCIELSTWA POLSKIEGO v. Poland (not final)  
44912/98 KOPECKÝ v. Slovakia\*  
45508/99 H.L. v. United Kingdom (not final)  
60669/00 KJARTAN ÁSMUNDSSON v. Iceland (not final)  
17707/02 MELNYCHENKO v. Ukraine (referral request pending)  
39647/98 EDWARDS and LEWIS v. the United Kingdom\*  
40461/98)  
46300/99 MARPA ZEELAND BV and METAL WELDING SERVICE v. the Netherlands  
(extracts) (not final)  
46117/99 TAŞKIN and others v. Turkey (not final)  
56581/00 SEJDOVIC v. Italy (not final)  
67335/01 ACHOUR v. France (not final)

29865/96 ÜNAL TEKELI v. Turkey (extracts) (not final)  
53678/00 KARHUVAARA and ILTALEHTI v. Finland (not final)  
4143/02 MORENO GÓMEZ v. Spain (not final)  
58255/00 PROKOPOVICH v. Russia (extracts) (not final)  
48939/99 ÖNERİYILDIZ v. Turkey\*  
35091/02 MYKHAYLENKY and others v. Ukraine (not final)  
35196/02)  
35201/02)  
35204/02)  
35945/02)  
35949/02)  
35953/02)  
36800/02)  
38296/02)  
42814/02)

(decisions)

60819/00 DELBOS and others v. France  
52991/99 ÇELİK v. Turkey  
44842/98 SCHNEIDER v. Germany  
66273/01 FALK v. the Netherlands  
23131/03 NORWOOD v. the United Kingdom  
31734/96 PÜTÜN v. Turkey

### **Proposals not yet examined**

(judgments)

33348/96 CUMPĂNĂ and MAZĂRE v. Romania\*  
49017/99 PEDERSEN and BAADSGAARD v. Denmark\*  
50385/99 MAKARATZIS v. Greece\*  
25875/03 GELFMANN v. France (not final)  
39023/97 SUPREME HOLY COUNCIL v. Bulgaria (not final)  
68864/01 MERGER and CROS v. France (not final)

(decisions)

53507/99 SWEDISH TRANSPORT WORKERS UNION v. Sweden (extracts)  
29288/02 ROSEIRA BENTO v. Portugal (extracts)  
71074/01 MENTZEN v. Latvia

*Note:* The publication of non-final Section judgments is normally subject to the judgment becoming final (Article 44 § 2 of the Convention).

## V. STATISTICAL INFORMATION<sup>1</sup>

<b>Judgments delivered</b>	<b>2004</b>
Grand Chamber	15(16)
Section I	198(207)
Section II	195(221)
Section III	140(164)
Section IV	167(205)
Sections in former compositions	3
<b>Total</b>	<b>718(816)</b>

<b>Judgments delivered in 2004<sup>2</sup></b>					
	Merits	Friendly settlements	Struck out	Other	Total
Grand Chamber	14(15)	0	0	1	15(16)
former Section I	0	0	0	0	0
former Section II	1	0	0	2	3
former Section III	0	0	0	0	0
former Section IV	0	0	0	0	0
Section I	156(161)	33(37)	3	6	198(207)
Section II	177(203)	11	2	5	195(221)
Section III	130(154)	8	1	1	140(164)
Section IV	148(181)	16(21)	2	1	167(205)
<b>Total</b>	<b>626(715)</b>	<b>68(77)</b>	<b>8</b>	<b>16</b>	<b>718(816)</b>

<sup>1</sup> A judgment or decision may concern more than one application: when both figures are given, the number of applications is shown in brackets. The statistical information provided in this and the following section is provisional. For a number of reasons (in particular, different methods of calculation of unjoined applications dealt with in a single decision), discrepancies may arise between the different tables in the Survey.

<sup>2</sup> The statistics concerning Section judgments do not take into account the recomposition of the Sections on 1 November 2004. The heading "former Sections" refers to Sections in their composition prior to 1 November 2001.



**JUDGMENTS 2004**

<i>Etat en cause / State concerned</i>	<i>Affaires ayant donné lieu à un constat de / Cases which gave rise to a finding of</i>		<i>Affaires n'ayant pas donné lieu à un constat sur le fond / Cases which gave rise to no finding on the merits</i>		<i>Satisfaction équitable / Just satisfaction</i>	Révision	TOTAL
	<i>Au moins une violation / At least one violation</i>	<i>Non violation / No violation</i>	<i>Règlement amiable / Friendly settlement</i>	<i>Rayée du rôle / Striking out</i>			
<i>Albanie / Albania</i>	1	-	-	-	-	-	1
<i>Andorre / Andorra</i>	1	-	-	-	-	-	1
<i>Arménie / Armenia</i>	-	-	-	-	-	-	-
<i>Autriche / Austria</i>	13	1	1	1	1	-	17
<i>Azerbaïdjan / Azerbaijan</i>	-	-	-	-	-	-	-
<i>Belgique / Belgium</i>	11	-	1	3	-	-	15
<i>Bosnie-Herzégovine / Bosnia and Herzegovina</i>	-	-	-	-	-	-	-
<i>Bulgarie / Bulgaria</i>	25	1	1	-	-	-	27
<i>Croatie / Croatia</i>	11	1	21	-	-	-	33
<i>Chypre / Cyprus</i>	2	1 <sup>1</sup>	-	-	-	-	3
<i>République tchèque / Czech Republic</i>	27	-	1	-	-	-	28
<i>Danemark / Denmark</i>	-	2	1	-	-	-	3
<i>Estonie / Estonia</i>	1	-	-	-	-	-	1
<i>Finlande / Finland</i>	8	4	-	-	-	-	12
<b>France</b>	59	11	4	-	-	1	75
<i>Géorgie / Georgia</i>	1	-	-	1	-	-	2
<i>Allemagne / Germany</i>	6	-	-	-	-	-	6
<i>Grèce / Greece</i>	32	3	-	-	4	1	40
<i>Hongrie / Hungary</i>	20	-	-	-	-	-	20
<i>Islande / Iceland</i>	2	-	-	-	-	-	2
<i>Irlande / Ireland</i>	2	-	-	-	-	-	2
<i>Italie / Italy</i>	36	1	7	-	3	-	47
<i>Lettonie / Latvia</i>	3	-	-	-	-	-	3
<b>Liechtenstein</b>	1	-	-	-	-	-	1
<i>Lituanie / Lithuania</i>	1	-	1	-	-	-	2
<b>Luxembourg</b>	1	-	-	-	-	-	1
<i>Ex-République yougoslave de Macédoine / Former Yugoslav Republic of Macedonia</i>	-	-	-	-	-	-	-
<i>Malte / Malta</i>	1	-	-	-	-	-	1
<b>Moldova</b>	10	-	-	-	-	-	10
<i>Pays-Bas / Netherlands</i>	6	3	1	-	-	-	10
<i>Norvège / Norway</i>	-	-	-	-	-	-	-
<i>Pologne / Poland</i>	74	1	4	-	-	-	79
<b>Portugal</b>	5	-	2	-	-	-	7
<i>Roumanie / Romania</i>	12	-	3	-	3	1	19
<i>Fédération de Russie / Russian Federation</i>	13	2 <sup>2</sup>	-	-	-	-	15
<i>Saint-Marin / San Marino</i>	2	-	-	-	-	-	2
<i>Slovaquie / Slovakia</i>	11	2	1	-	-	-	14
<i>Slovénie / Slovenia</i>	-	-	-	-	-	-	-
<i>Espagne / Spain</i>	5	1	-	-	-	-	6
<i>Serbie-Monténégro / Serbia and Montenegro</i>	-	-	-	-	-	-	-
<i>Suède / Sweden</i>	-	1	5	-	-	-	6
<i>Suisse / Switzerland</i>	-	-	-	-	-	-	-
<i>Turquie / Turkey</i>	154	4	10	3	-	-	171
<b>Ukraine</b>	13	1	-	-	-	-	14
<i>Royaume-Uni / United Kingdom</i>	19	-	4	-	-	-	23
<b>TOTAL</b>	<b>589</b>	<b>40</b>	<b>68</b>	<b>8</b>	<b>11</b>	<b>3</b>	<b>719<sup>3</sup></b>

<sup>1</sup> Preliminary objection allowed.

<sup>2</sup> In one case, a preliminary objection was allowed.

<sup>3</sup> One judgment concerned both Moldova and Russia.

<b>Decisions adopted</b>		<b>2004</b>
<b>I. Applications declared admissible</b>		
Grand Chamber		1
Section I		252(262)
Section II		185(201)
Section III		167(189)
Section IV		152(189)
<b>Total</b>		<b>757(842)</b>
<b>II. Applications declared inadmissible</b>		
Grand Chamber		1
Section I	- Chamber	120(122)
	- Committee	6034
Section II	- Chamber	93(95)
	- Committee	5401
Section III	- Chamber	79(81)
	- Committee	3656
Section IV	- Chamber	95(111)
	- Committee	4301
<b>Total</b>		<b>19780(19802)</b>
<b>III. Applications struck off</b>		
Section I	- Chamber	85
	- Committee	68
Section II	- Chamber	52
	- Committee	63
Section III	- Chamber	142
	- Committee	45
Section IV	- Chamber	35
	- Committee	57
<b>Total</b>		<b>547</b>
<b>Total number of decisions<sup>1</sup></b>		<b>21084(21191)</b>

1. Not including partial decisions.

<b>Applications communicated</b>		<b>2004</b>
Section I		634(647)
Section II		530(555)
Section III		889(891)
Section IV		301
<b>Total number of applications communicated</b>		<b>2354(2394)</b>

**Evolution du nombre de requêtes individuelles introduites devant la Cour (anciennement la Commission) /  
Development in the number of individual applications lodged with the Court (formerly the Commission)**

	1955 - 1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	TOTAL
Requêtes introduites <i>Applications lodged</i>	49122	5279	6104	6456	9759	10335	11236	12704	14166	18164	22617	30069	31228	34509	38810	40943 (prov./ prov.)	341501
Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>	15911	1657	1648	1861	2037	2944	3481	4758	4750	5981	8400	10482	13845	28214	27189	32512	165670
Décisions rendues <i>Decisions taken</i>	14249	1216	1659	1704	1765	2372	2990	3400	3777	4420	4251	7862	9728	18450	18034	21181	117058
Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off the list</i>	13571	1065	1441	1515	1547	1789	2182	2776	3073	3658	3520	6776	8989	17868	17272	20350	107392
Requêtes déclarées recevables <i>Applications declared admissible</i>	670	151	217	189	218	582	807	624	703	762	731	1086	739	578	753	830	9640
Requêtes terminées par une décision de rejet en cours d'examen au fond <i>Applications terminated by a decision to reject in the course of the examination of the merits</i>	8	0	1	0	1	1	0	0	1	0	0	0	0	5	1	1	19
Arrêts rendus par la Cour <i>Judgments delivered by the Court</i>	205	30	72	81	60	50	56	72	106	105	177	695	889	844	703	718	4863

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

**EVOLUTION DES AFFAIRES (1/3)  
EVOLUTION OF CASES (1/3)**

Etat  State	Requêtes introduites (statistiques provisoires pour 2004)			Requêtes attribuées à un organe décisionnel			Requêtes déclarées irrecevables ou rayées du rôle			Requêtes communiquées au Gouvernement			Requêtes déclarées recevables		
	<i>Applications lodged (provisional statistics for 2004)</i>			<i>Applications allocated to a decision body</i>			<i>Applications declared inadmissible or struck off</i>			<i>Applications referred to Government</i>			<i>Applications declared admissible</i>		
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004
Albania/ <i>Albanie</i>	23	24	26	15	17	13	3	11	12	1	1	-	-	1	1
Andorra/ <i>Andorre</i>	0	2	1	-	2	1	-	1	-	1	-	-	-	1	-
Armenia/ <i>Arménie</i>	31	89	108	7	67	96	-	28	24	-	1	2	-	-	-
Austria/ <i>Autriche</i>	432	445	414	309	324	304	370	401	253	51	71	7	14	19	21
Azerbaijan/ <i>Azerbaïdjan</i>	265	266	225	-	238	151	-	45	200	-	3	15	-	-	-
Belgium/ <i>Belgique</i>	265	216	234	139	117	125	124	118	135	31	11	19	3	12	11
Bosnia and Herzegovina/ <i>Bosnie- Herzégovine</i>	51	94	205	4	59	137	-	-	46	-	-	5	-	-	-
Bulgaria/ <i>Bulgarie</i>	615	700	944	461	517	739	394	293	298	43	37	57	15	26	34
Croatia/ <i>Croatie</i>	861	878	639	666	664	697	338	349	580	49	38	59	8	25	13
Cyprus/ <i>Chypre</i>	38	44	55	47	36	47	44	11	2	7	5	2	2	4	-
Czech Republic/ <i>République Tchèque</i>	491	941	1370	329	629	1064	437	280	399	54	16	91	2	7	41
Denmark/ <i>Danemark</i>	128	142	124	86	73	86	40	65	88	3	4	8	2	6	-
Estonia/ <i>Estonie</i>	116	178	179	89	131	138	57	138	70	1	5	4	2	1	4
Finland/ <i>Finlande</i>	229	285	308	184	260	244	151	97	191	22	11	27	8	12	15
France/ <i>France</i>	2934	2904	2921	1606	1481	1737	1253	1451	1678	124	89	105	66	89	70
Georgia/ <i>Georgie</i>	42	44	54	29	35	47	13	24	17	4	6	7	2	1	1
Germany/ <i>Allemagne</i>	1781	1935	2470	1019	998	1527	748	461	914	58	17	16	13	10	10
Greece/ <i>Grèce</i>	379	480	376	311	354	274	134	171	253	74	72	96	29	26	34
Hungary/ <i>Hongrie</i>	317	499	519	307	330	397	198	293	337	30	25	12	10	15	15
Iceland/ <i>Islande</i>	5	17	10	5	10	6	2	5	6	-	-	-	2	1	-
Ireland/ <i>Irlande</i>	85	76	62	45	29	32	43	31	16	1	2	1	3	2	-
Italy/ <i>Italie</i>	1360	1848	1821	1302	1351	1480	1126	1009	1178	89	89	228	133	16	95
Latvia/ <i>Lettonie</i>	260	312	314	208	133	195	102	152	115	15	10	14	3	7	5

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

**EVOLUTION DES AFFAIRES (1/3)  
EVOLUTION OF CASES (1/3)**

Etat  State	Requêtes introduites (statistiques provisoires pour 2004)			Requêtes attribuées à un organe décisionnel			Requêtes déclarées irrecevables ou rayées du rôle			Requêtes communiquées au Gouvernement			Requêtes déclarées recevables		
	<i>Applications lodged (provisional statistics for 2004)</i>			<i>Applications allocated to a decision body</i>			<i>Applications declared inadmissible or struck off</i>			<i>Applications referred to Government</i>			<i>Applications declared admissible</i>		
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004
Liechtenstein/ <i>Liechtenstein</i>	3	5	5	3	3	5	1	3	2	2	-	-	-	1	1
Lithuania/ <i>Lituanie</i>	439	485	448	529	355	451	166	199	586	6	21	6	3	5	3
Luxemburg/ <i>Luxembourg</i>	47	58	36	25	21	12	11	28	3	1	5	2	2	2	1
Malta/ <i>Malte</i>	9	19	14	4	4	8	2	-	4	2	3	3	-	1	3
Moldova/ <i>Moldovie</i>	253	357	364	245	238	344	31	105	79	4	64	53	1	2	38
Netherlands/ <i>Pays-Bas</i>	574	451	545	317	278	350	278	235	339	14	19	58	9	7	11
Norway/ <i>Norvège</i>	79	74	106	48	51	82	20	62	44	-	3	3	-	1	-
Poland/ <i>Pologne</i>	4521	5359	5445	4032	3658	4321	2469	1702	2344	84	123	66	46	83	54
Portugal/ <i>Portugal</i>	250	243	172	143	148	115	108	252	102	27	8	18	22	5	10
Romania/ <i>Roumanie</i>	2277	4282	3776	1960	2165	3225	508	700	1200	29	57	65	13	22	22
Russia/ <i>Russie</i>	4716	6062	6691	3989	4738	5835	2222	3206	3704	58	169	232	12	15	64
San Marino/ <i>Saint-Marin</i>	5	2	4	6	2	-	1	2	5	3	2	1	3	3	1
Serbia and Montenegro/ <i>Serbie-Monténégro</i>	15	101	578	-	-	452	-	-	-	-	-	1	-	-	-
Slovak Republic/ <i>Republique Slovaque</i>	432	539	470	406	349	403	366	277	353	39	8	63	11	28	12
Slovenia/ <i>Slovénie</i>	264	265	285	270	251	271	72	60	198	7	86	128	-	3	2
Spain/ <i>Espagne</i>	822	604	679	798	455	423	1345	377	204	10	12	8	7	6	3
Sweden/ <i>Suède</i>	371	436	511	296	257	398	350	303	366	13	13	25	1	5	8
Switzerland/ <i>Suisse</i>	281	273	305	214	162	203	182	108	170	3	6	15	1	1	4
FYRO Macedonia/ <i>ERY Macédoine</i>	95	148	142	90	98	115	16	57	51	6	1	11	-	-	-
Turkey/ <i>Turquie</i>	3879	2944	3491	3866	3558	3679	1639	1632	1817	377	357	740	102	142	172
Ukraine/ <i>Ukraine</i>	2944	2287	2131	2819	1858	1538	1764	1665	1246	18	158	141	3	6	31
United Kingdom/ <i>Royaume-Uni</i>	1525	1396	1366	986	685	745	737	865	721	312	86	25	25	134	20
<b>Total</b>	<b>34509</b>	<b>38810</b>	<b>40943</b>	<b>28214</b>	<b>27189</b>	<b>32512</b>	<b>17865</b>	<b>17272</b>	<b>20350</b>	<b>1673</b>	<b>1714</b>	<b>2439</b>	<b>578</b>	<b>753</b>	<b>830</b>

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

**EVOLUTION DES AFFAIRES (2/3) - ARRÊTS (1/2)  
EVOLUTION OF CASES (2/3) - JUDGMENTS (1/2)**

Etat  State	Arrêts (Chambre et Grande Chambre)			Arrêts (définitif-après renvoi devant la Grande Chambre)			Arrêts (règlement amiable)			Arrêts (radiation)		
	<i>Judgments (Chamber and Grand Chamber)</i>			<i>Judgments (final-after referral to Grand Chamber)</i>			<i>Judgments (friendly settlements)</i>			<i>Judgments (striking out)</i>		
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004
Albania/ <i>Albanie</i>	-	-	1	-	-	-	-	-	-	-	-	-
Andorra/ <i>Andorre</i>	-	-	1	-	-	-	-	-	-	-	-	-
Armenia/ <i>Arménie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Austria/ <i>Autriche</i>	15	17	14	-	-	-	5	2	1	-	-	1
Azerbaijan/ <i>Azerbaïdjan</i>	-	-	-	-	-	-	-	-	-	-	-	-
Belgium/ <i>Belgique</i>	13	7	11	-	-	-	-	1	1	1	-	3
Bosnia and Herzegovina/ <i>Bosnie- Herzégovine</i>	-	-	-	-	-	-	-	-	-	-	-	-
Bulgaria/ <i>Bulgarie</i>	2	11	26	-	-	-	1	-	1	-	-	-
Croatia/ <i>Croatie</i>	6	6	12	-	-	-	3	-	21	-	-	-
Cyprus/ <i>Chypre</i>	5	2	2	-	-	1	1	-	-	-	-	-
Czech Republic/ <i>République Tchèque</i>	4	5	27	-	-	-	-	1	1	-	-	-
Denmark/ <i>Danemark</i>	1	2	1	-	-	1	1	-	1	-	-	-
Estonia/ <i>Estonie</i>	1	3	1	-	-	-	-	-	-	-	-	-
Finland/ <i>Finlande</i>	5	3	12	-	-	-	-	2	-	-	-	-
France/ <i>France</i>	66	83	70	1	-	-	6	7	4	2	-	-
Georgia/ <i>Georgie</i>	-	-	1	-	-	-	-	-	-	-	-	1
Germany/ <i>Allemagne</i>	8	9	6	-	2	-	-	1	-	1	-	-
Greece/ <i>Grèce</i>	17	23	35	-	-	-	3	3	-	-	-	-
Hungary/ <i>Hongrie</i>	1	13	20	-	-	-	2	2	-	-	1	-
Iceland/ <i>Islande</i>	-	2	2	-	-	-	-	-	-	-	-	-
Ireland/ <i>Irlande</i>	1	2	2	-	-	-	-	-	-	-	-	-
Italy/ <i>Italie</i>	330	107	37	1	1	-	49	29	7	2	4	-
Latvia/ <i>Lettonie</i>	2	1	3	-	-	-	-	-	-	-	-	-

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

**EVOLUTION DES AFFAIRES (2/3) - ARRÊTS (1/2)  
EVOLUTION OF CASES (2/3) - JUDGMENTS (1/2)**

Etat  State	Arrêts (Chambre et Grande Chambre)			Arrêts (définitif-après renvoi devant la Grande Chambre)			Arrêts (règlement amiable)			Arrêts (radiation)		
	<i>Judgments (Chamber and Grand Chamber)</i>			<i>Judgments (final-after referral to Grand Chamber)</i>			<i>Judgments (friendly settlements)</i>			<i>Judgments (striking out)</i>		
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004
Liechtenstein/ <i>Liechtenstein</i>	-	-	1	-	-	-	-	-	-	-	-	-
Lithuania/ <i>Lituanie</i>	5	3	1	-	-	-	-	1	1	-	-	-
Luxemburg/ <i>Luxembourg</i>	-	4	1	-	-	-	1	-	-	-	-	-
Malta/ <i>Malte</i>	-	1	1	-	-	-	-	-	-	-	-	-
Moldova/ <i>Moldovie</i>	-	-	10	-	-	-	-	-	-	-	-	-
Netherlands/ <i>Pays-Bas</i>	9	7	9	-	-	-	1	-	1	-	-	-
Norway/ <i>Norvège</i>	-	5	-	-	-	-	-	-	-	-	-	-
Poland/ <i>Pologne</i>	22	43	74	-	-	1	3	22	4	-	2	-
Portugal/ <i>Portugal</i>	14	16	5	-	-	-	18	1	2	1	-	-
Romania/ <i>Roumanie</i>	26	25	11	-	-	1	-	-	3	1	3	-
Russia/ <i>Russie</i>	2	5	15	-	-	-	-	-	-	-	-	-
San Marino/ <i>Saint-Marin</i>	-	3	2	-	-	-	-	1	-	-	-	-
Serbia and Montenegro/ <i>Serbie- Monténégro</i>	-	-	-	-	-	-	-	-	-	-	-	-
Slovak Republic/ <i>Republique Slovaque</i>	4	19	12	-	-	1	3	8	1	-	-	-
Slovenia/ <i>Slovénie</i>	-	-	-	-	-	-	1	-	-	-	-	-
Spain/ <i>Espagne</i>	3	9	6	-	-	-	-	-	-	-	-	-
Sweden/ <i>Suède</i>	6	3	1	-	-	-	1	-	5	-	-	-
Switzerland/ <i>Suisse</i>	4	1	-	-	-	-	-	-	-	-	-	-
FYRO Macedonia/ <i>ERY Macédoine</i>	-	-	-	-	-	-	1	-	-	-	-	-
Turkey/ <i>Turquie</i>	55	76	156	1	1	2	45	44	10	4	1	3
Ukraine/ <i>Ukraine</i>	1	6	14	-	-	-	-	-	-	-	-	-
United Kingdom/ <i>Royaume-Uni</i>	33	20	18	1	2	1	6	3	4	-	-	-
<b>Total</b>	<b>664</b>	<b>542</b>	<b>621</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>151</b>	<b>128</b>	<b>68</b>	<b>11</b>	<b>11</b>	<b>8</b>

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

**EVOLUTION DES AFFAIRES (3/3) - ARRÊTS (2/2)  
EVOLUTION OF CASES (3/3) - JUDGMENTS (2/2)**

Etat  State	Arrêts (satisfaction équitable)  <i>Judgments (just satisfaction)</i>			Arrêts (exceptions préliminaires)  <i>Judgments (preliminary objections)</i>			Arrêts (interprétation)  <i>Judgments (interpretation)</i>			Arrêts (révision)  <i>Judgments (revision)</i>		
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004
Albania/ <i>Albanie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Andorra/ <i>Andorre</i>	-	-	-	-	-	-	-	-	-	-	-	-
Armenia/ <i>Arménie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Austria/ <i>Autriche</i>	-	-	1	-	-	-	-	-	-	-	-	-
Azerbaijan/ <i>Azerbaïdjan</i>	-	-	-	-	-	-	-	-	-	-	-	-
Belgium/ <i>Belgique</i>	-	-	-	-	-	-	-	-	-	-	-	-
Bosnia and Herzegovina/ <i>Bosnie-Hezégovine</i>	-	-	-	-	-	-	-	-	-	-	-	-
Bulgaria/ <i>Bulgarie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Croatia/ <i>Croatie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Cyprus/ <i>Chypre</i>	-	1	-	-	-	-	-	-	-	-	-	-
Czech Republic/ <i>République Tchèque</i>	-	-	-	-	-	-	-	-	-	-	-	-
Denmark/ <i>Danemark</i>	-	-	-	-	-	-	-	-	-	-	-	-
Estonia/ <i>Estonie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Finland/ <i>Finlande</i>	-	-	-	-	-	-	-	-	-	-	-	-
France/ <i>France</i>	-	2	-	-	-	-	-	-	-	-	2	1
Georgia/ <i>Georgie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Germany/ <i>Allemagne</i>	-	-	-	-	-	-	-	-	-	-	-	-
Greece/ <i>Grèce</i>	5	2	4	-	-	-	-	-	-	-	-	1
Hungary/ <i>Hongrie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Iceland/ <i>Islande</i>	-	-	-	-	-	-	-	-	-	-	-	-
Ireland/ <i>Irlande</i>	-	-	-	-	-	-	-	-	-	-	-	-
Italy/ <i>Italie</i>	1	2	3	-	-	-	-	-	-	8	5	-
Latvia/ <i>Lettonie</i>	-	-	-	-	-	-	-	-	-	-	-	-



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

**EVOLUTION DES AFFAIRES (3/3) - ARRÊTS (2/2)  
EVOLUTION OF CASES (3/3) - JUDGMENTS (2/2)**

Etat  State	Arrêts (satisfaction équitable)			Arrêts (exceptions préliminaires)			Arrêts (interprétation)			Arrêts (révision)		
	<i>Judgments (just satisfaction)</i>			<i>Judgments (preliminary objections)</i>			<i>Judgments (interpretation)</i>			<i>Judgments (revision)</i>		
	2002	2003	2004	2002	2003	2004	2002	2003	2004	2002	2003	2004
Liechtenstein/ <i>Liechtenstein</i>	-	-	-	-	-	-	-	-	-	-	-	-
Lithuania/ <i>Lituanie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Luxemburg/ <i>Luxembourg</i>	-	-	-	-	-	-	-	-	-	-	-	-
Malta/ <i>Malte</i>	-	-	-	-	-	-	-	-	-	-	-	-
Moldova/ <i>Moldovie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Netherlands/ <i>Pays-Bas</i>	1	-	-	-	-	-	-	-	-	-	-	-
Norway/ <i>Norvège</i>	-	-	-	-	-	-	-	-	-	-	-	-
Poland/ <i>Pologne</i>	1	-	-	-	-	-	-	-	-	-	-	-
Portugal/ <i>Portugal</i>	-	-	-	-	-	-	-	-	-	-	-	-
Romania/ <i>Roumanie</i>	-	-	3	-	-	-	-	-	-	-	-	1
Russia/ <i>Russie</i>	-	-	-	-	-	-	-	-	-	-	-	-
San Marino/ <i>Saint-Marin</i>	-	-	-	-	-	-	-	-	-	-	-	-
Serbia and Montenegro/ <i>Serbie-Monténégro</i>	-	-	-	-	-	-	-	-	-	-	-	-
Slovak Republic/ <i>Republique Slovaque</i>	-	-	-	-	-	-	-	-	-	-	-	-
Slovenia/ <i>Slovénie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Spain/ <i>Espagne</i>	-	-	-	-	-	-	-	-	-	-	-	-
Sweden/ <i>Suède</i>	-	-	-	-	-	-	-	-	-	-	-	-
Switzerland/ <i>Suisse</i>	-	-	-	-	-	-	-	-	-	-	-	-
FYRO Macedonia/ <i>ERY Macédoine</i>	-	-	-	-	-	-	-	-	-	-	-	-
Turkey/ <i>Turquie</i>	-	-	-	-	1	-	-	-	-	-	-	-
Ukraine/ <i>Ukraine</i>	-	1	-	-	-	-	-	-	-	-	-	-
United Kingdom/ <i>Royaume-Uni</i>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>8</b>	<b>8</b>	<b>11</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8</b>	<b>7</b>	<b>3</b>