



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

Survey of activities *2006*

Registry of the European Court of Human Rights
Strasbourg, 2007

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Note: This survey provides general information and statistics concerning the activities of the Court in 2006. Separate annual activity reports are also available for the Grand Chamber and each of the five Sections.

I. HISTORY AND DEVELOPMENT OF THE CONVENTION SYSTEM

A. *A system in continuous evolution*

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

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

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

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

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

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

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

The Protocols to the Convention

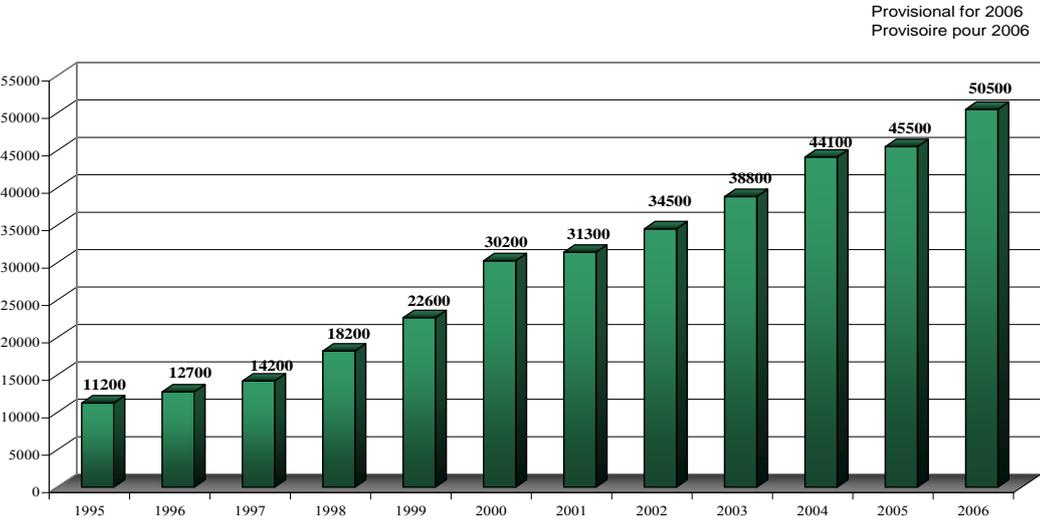
¹ See *Mamatkulov and Askarov v. Turkey* [GC], nos. 46827/99 and 46951/99, § 122, ECHR 2005-I.

7. Since the Convention’s entry into force fourteen Protocols have been adopted. Protocols Nos. 1, 4, 6, 7, 12² and 13 added further rights and liberties to those guaranteed by the Convention. Protocol No. 2 conferred on the Court the power to give advisory opinions, a little-used function that is now governed by Articles 47-49 of the Convention³. As noted above, Protocol No. 9 allowed individuals to seek referral of their case to the Court. Protocol No. 11 radically transformed the supervisory system, creating a single, full-time Court to which individuals can have direct recourse. Protocol No. 14, which was adopted in 2004 and is currently in the process of ratification, will introduce a number of institutional and procedural reforms, the main objective being to expand the Court’s capacity to deal with clearly inadmissible complaints as well as admissible cases that can be resolved on the basis of well-established case law (see Part C below). The other Protocols, which concerned the organisation of and procedure before the Convention institutions, are of no practical importance today.

B. Mounting pressure on the Convention system

8. In the early years of the Convention, the number of applications lodged with the Commission was comparatively small, and the number of cases decided by the Court was much lower again. This changed in the 1980s, by which time the steady growth in the number of cases brought before the Convention institutions made it increasingly difficult to keep the length of proceedings within acceptable limits. Adding to the problem was the rapid increase in the number of Contracting States from 1990 onwards, rising from twenty-two to the current total of forty-six. The number of applications registered annually with the Commission increased from 404 in 1981 to 4,750 in 1997, the last full year of operation of the original supervisory mechanism. By that same date, the number of unregistered or provisional files opened each year in the Commission had risen to over 12,000. Although on a much lower scale, the Court’s statistics reflected a similar story, with the number of cases referred annually rising from 7 in 1981 to 119 in 1997⁴.

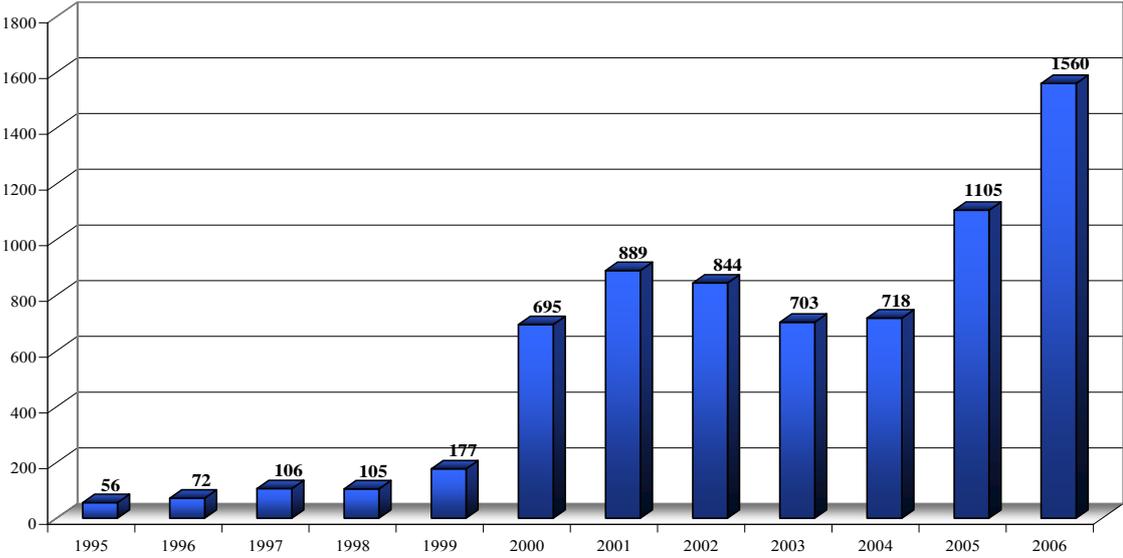
9. As the following table shows, the upward trend in the number of applications lodged has continued since the new Court came into being:



² This is the most recent one to have entered into force, having taken effect in 2005.
³ There has just been one request by the Committee of Ministers for an advisory opinion, which the Court found to be inadmissible.
⁴ By 31 October 1998, the “old” Court had delivered a total of 837 judgments. The Commission received more than 128,000 applications during its lifetime (1955-1998). It continued to operate for a further twelve months to deal with cases already declared admissible before Protocol No. 11 entered into force.

By the end of 2006, there were 89,887 applications pending before the Court, approximately one-quarter (some 23,000) of which had yet to be allocated to the appropriate judicial formation (Committee or Chamber). Some 20 per cent of the cases are directed against Russia. About 12 per cent of the cases concern Romania and a further 10 per cent Turkey.

The Court’s capacity to handle applications has increased noticeably since 1999. In 2006, it handed down 1,560 judgments (an increase by over 40 per cent compared with 2005):



The highest number of judgments concerned Turkey (334), Slovenia (190), Ukraine (120), Poland (115), Italy (103), Russia (102), France (96) and Romania (73). These eight States accounted for over 70 per cent of the judgments.

In addition, the Court disposed of more than 28,000 other applications, which were either declared inadmissible or struck off for another reason. Applications can also be disposed of administratively, for example, if the applicant fails to follow up on their initial correspondence with the Court. In 2006, some 12,000 applications were disposed of in this way.

For more detailed statistics, please see Chapter VI.

10. This enormous case load has raised concerns over the continuing effectiveness of the Convention system. Further changes to the system were agreed in 2004, when Protocol No. 14 was adopted and opened for signature. By the end of 2006, only one ratification was outstanding. Although Protocol No. 14 will allow the Court to deal more rapidly with certain types of case, it cannot lessen the flow of new applications. It is widely agreed that further adaptation of the system is necessary. At the Third Summit of the Council of Europe in Warsaw in May 2005, the heads of State and Government present decided to convene the Group of Wise Persons, composed of eminent legal personalities, to consider the steps that might be taken to ensure the system’s continuing viability. The Group reported in December 2006.

II. THE EUROPEAN COURT OF HUMAN RIGHTS

A. *Organisation of the Court*

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

12. The provisions governing the structure and procedure of the Court are to be found in Section II of the Convention (Articles 19-51). The Court is composed of a number of judges equal to that of the Contracting States (currently forty-six⁵). Judges are elected by the Parliamentary Assembly of the Council of Europe, which votes on a shortlist of three candidates put forward by Governments. The term of office is six years, and judges may be re-elected. Their terms of office expire when they reach the age of seventy, although they continue to deal with cases already under their consideration.

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

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

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

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

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

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

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

⁵ See Chapter III of this survey for the list of judges. Biographical details of judges are to be found on the Court's internet site.

B. Procedure before the Court

1. General

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

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

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

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

2. The handling of applications

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

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

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

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

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

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

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

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

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

C. Protocol No. 14

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

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

III. COMPOSITION OF THE COURT (as at 31 December 2006)

(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 Peer LORENZEN, Section President	(Danish)
Mr Giovanni BONELLO	(Maltese)
Mr Loukis LOUCAIDES	(Cypriot)
Mr Ireneu CABRAL BARRETO	(Portuguese)
Mr Rıza TÜRMEŒ	(Turkish)
Ms Françoise TULKENS	(Belgian)
Mr Corneliu BÎRSAN	(Romanian)
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 BOTOCHAROVA	(Bulgarian)
Mr Mindia UGREKHELIDZE	(Georgian)
Mr Anatoly KOVLER	(Russian)
Mr Vladimiro ZAGREBELSKY	(Italian)
Ms Antonella MULARONI	(San Marinese)
Ms Elisabeth STEINER	(Austrian)
Mr Stanislav PAVLOVSKI	(Moldovan)
Mr Lech GARLICKI	(Polish)
Mr Javier BORREGO BORREGO	(Spanish)
Ms Elisabet FURA-SANDSTRÖM	(Swedish)
Ms Alvina GYULUMYAN	(Armenian)
Mr Khanlar HAJIYEV	(Azerbaijani)
Ms Ljiljana MIJOVIĆ	(citizen of Bosnia and Herzegovina)
Mr Dean SPIELMANN	(Luxemburger)
Ms Renate JAEGER	(German)
Mr Egbert MYJER	(Netherlands)
Mr Sverre Erik JEBENS	(Norwegian)
Mr David Thór BJÖRGVINSSON	(Icelandic)
Ms Danutė JOČIENĖ	(Lithuanian)
Mr Ján ŠIKUTA	(Slovakian)
Mr Dragoljub POPOVIĆ	(Serbian)
Ms Ineta ZIEMELE	(Latvian)
Mr Mark VILLIGER	(Swiss) ⁶
Ms Isabelle BERRO-LEFÈVRE	(Monegasque)
Mr Erik FRIBERGH, Registrar	(Swedish)
Mr Michael O'BOYLE, Deputy Registrar	(Irish)

⁶ Elected as the judge in respect of Liechtenstein.

IV. SELECTION OF JUDGMENTS DELIVERED BY THE COURT IN 2006 ⁷

ARTICLE 2

Article 2(1)

Life

Death of suspect held at police station and failure to conduct an effective investigation: *violations*.
OGNYANOVA and CHOBAN v. Bulgaria, 46317/99, N° 83

Death of a conscript while performing military service and effectiveness of subsequent investigation:
violation.

ATAMAN v. Turkey, 46252/99, N° 85

Suspect accidentally shot dead by police officer pursuing him: *no violation*.

YAŞAROĞLU v. Turkey, 45900/99, N° 87

Disappearance in Chechnya following Russian military commander's instruction to shoot applicant's son, and ineffectiveness of the ensuing investigation: *violation*.

BAZORKINA v. Russia, 69481/01, N° 88

Inadequate medical care leading to prisoner's bleeding to death, and failure to conduct an effective investigation: *violation*.

TARARIYEVA v. Russia, 4353/03, N°92

Positive obligations

Effectiveness of the investigation into murders involving a criminal organisation: *no violation*.

BAYRAK and others v. Turkey, 42771/98, N° 82

Effectiveness of the investigation concerning the death of a drug-addict three days after his arrest:
violation.

SCAVUZZO-HAGER and Others v. Switzerland, 41773/98, N° 83

Reaction of the police when the suspect lost consciousness in the course of his arrest: *no violation*.

SCAVUZZO-HAGER and Others v. Switzerland, 41773/98, N° 83

Effectiveness of the investigation into the deaths, during a police operation, of three members of an illegal armed organisation: *violation*.

PERK and Others v. Turkey, 50739/99, N° 84

Death of an AIDS sufferer in a sobering-up cell at a police station: *violation*.

TAÏS v. France, 39922/03, N° 87

Lack of effective and speedy investigation into the death of the applicant's wife and the serious damage to his son's health, following delivery by caesarean section: *violation*.

BYRZYKOWSKI v. Poland, 11562/05, N° 87

⁷ The cases are listed with their name and number. Where applicable, the two-digit number at the end of each reference line indicates the issue of the Case-Law Information Note where the judgment was summarised. Depending on the Court's findings a judgment may have appeared in the CLIN/CLR under several keywords. 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>. The monthly Information Notes are accessible at <http://www.echr.coe.int/echr/NoteInformation/en> and <http://www.echr.coe.int/echr/NoteInformation/fr>

Insufficient security measures around an area mined by the military and used by villagers as pasture land: *violation*.

PAŞA and ERKAN EROL v. Turkey, 51358/99, N° 92

Article 2(2)

Use of force

Arrest by two police officers of a very agitated drug addict who died three days later: *no violation*.

SCAVUZZO-HAGER and Others v. Switzerland, 41773/98, N° 83

Deaths of three persons belonging to an illegal armed organisation during a police operation: *no violation*.

PERK and Others v. Turkey, 50739/99, N° 84

Killings in Chechnya by agents of the Russian State, followed by inadequate criminal investigation: *violation*.

ESTAMIROV and Others v. Russia, 60272/00, N° 90

LULUYEV and Others v. Russia, 69480/01, N° 91

ARTICLE 3

Torture

Ill-treatment by police officers and effectiveness of the investigation: *violation*.

MIKHEYEV v. Russia, 77617/01, N° 82

MENESHEVA v. Russia, 59261/00, N° 84

HÜSEYİN ESEN v. Turkey, 49048/99, N° 88

Torture in police custody: *violation*.

SHEYDAYEV v. Russia, 65859/01, N° 92

Inhuman or degrading treatment

Prisoner suffering from tuberculosis wrongly diagnosed and kept in inadequate conditions: *violation*.

MELNIK v. Ukraine, 72286/01, N° 84

Treatment while in police custody and attempts to carry out a gynaecological examination: *no violation/inadmissible*.

DEVİRİM TURAN v. Turkey, 879/02, N° 84

Exceptionally lengthy period of detention: *no violation*.

LÉGER v. France, 19324/02, N° 85

Overpopulation in detention facility, confinement and lack of food and water: *violation*.

KADIĞIS v. Latvia (No. 2), 62393/00, N° 86

Detention in over-crowded unsanitary prison: *violation*.

MAMEDOVA v. Russia, 7064/05, N° 87

Prolonged detention in solitary confinement: *no violation*.

RAMIREZ SANCHEZ v. France, 59450/00, N° 88

Strip-search of prisoner: *violation*.

SALAH v. Netherlands, 8196/02, N° 88
BAYBAŞIN v. Netherlands, 13600/02, N° 88

Continuing detention despite emergence of mental illness and suicidal tendencies: *violation*.

RIVIERE v. France, 33834/03, N° 88

Severe ill-treatment immediately following arrest, lack of appropriate medical care thereafter: *violation*.

BOICENCO v. Moldova, 41088/05, N° 88

Forcible administration of emetics to a drug-trafficker in order to recover a plastic bag he had swallowed containing drugs: *violation*.

JALLOH v. Germany, 54810/00, N° 88

Conditions of detention and lack of medical assistance: *violations*.

POPOV v. Russia, 26853/04, N° 88

Three months' detention in a police detention centre not suited to the requirements of continued incarceration: *violation*.

KAJA v. Greece, 32927/03, N° 88

Anguish and distress resulting from the disappearance of the applicants' relative and the ineffectiveness of the ensuing investigation: *violation*.

BAZORKINA v. Russia, 69481/01, N° 88
LULUYEV and Others v. Russia, 69480/01, N° 91

Strip-search of family members paying a prison visit: *no violation*.

WAINWRIGHT v. United Kingdom, 12350/04, N° 89

Lack of qualified and timely medical assistance to a HIV-positive detainee suffering from epilepsy: *violation*.

KHUDOBIN v. Russia, 59696/00, N° 90

Detention of a five-year-old child without her family in a centre for adults, followed by her deportation: *violation*.

MUBILANZILA MAYEKA and KANIKI MITUNGA v. Belgium, 13178/03, N° 90

Anxiety of a mother whose child was detained abroad and subsequently deported: *violation*.

MUBILANZILA MAYEKA and KANIKI MITUNGA v. Belgium, 13178/03, N° 90

Minimum sentences imposed and suspended for persons found guilty of ill-treating a minor: *violation*.

OKKALI v. Turkey, 52067/99, N° 90

Handcuffing of prisoner recuperating from internal surgery, and transport in standard prison van two days thereafter: *violation*.

TARARIYEVA v. Russia, 4353/03, N° 92

Alleged ill-treatment during detention in a psychiatric hospital and failure to conduct a thorough and effective investigation in this regard: *non-violation/violation*.

FILIP v. Romania, 41124/02, N° 92

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

OYA ATAMAN v. Turkey, 74552/01, N° 92

Lengthy detention in unsanitary prison cell of inadequate size: *violation*.

CENBAUER v. Croatia, 73786/01

Expulsion

Expulsion to Algeria of an applicant suffering from hepatitis C and being the son of a “harki”: *no violation*.

AOULMI v. France, 50278/99, N° 82

Conditions in which a five-year-old child was deported without her parents: *violation*.

MUBILANZILA MAYEKA and KANIKI MITUNGA v. Belgium, 13178/03, N° 90

Extradition

Extradition of the applicant to Peru after assurances had been obtained from the Peruvian Government: *no violation*.

OLAECHEA CAHUAS v. Spain, 24668/03, N° 88

ARTICLE 5

Article 5(1)

Deprivation of liberty

Lack of records concerning the arrest of applicant, and ensuing five days’ detention ordered by a judge neglecting procedural guarantees: *violation*.

MENESHEVA v. Russia, 59261/00, N° 84

Alleged arbitrariness of the applicant’s continued detention during an exceptionally lengthy period: *no violation*.

LÉGER v. France, 19324/02, N° 85

Detention of a five-year-old foreign national without her family in a centre for adult illegal immigrants: *violation*.

MUBILANZILA MAYEKA and KANIKI MITUNGA v. Belgium, 13178/03, N° 90

Lawful arrest or detention

Automatic extension of pre-trial detention: *violation*.

SVIPSTA v. Latvia, 66820/01, N° 84

Detention ordered without sufficient reasoning, no consideration given to less intrusive measures: *violation*.

AMBRUSZKIEWICZ v. Poland, 38797/03, N° 86

Prolongation of detention on remand without lawful order: *violation*.

BOICENCO v. Moldova, 41088/05, N° 88

Unrecorded and unacknowledged detention in Chechnya: *violation*.

BAZORKINA v. Russia, 69481/01, N° 88
LULUYEV and Others v. Russia, 69480/01, N° 91

Unjustified committal to a psychiatric hospital in violation of domestic legislation: *violation*.

FILIP v. Romania, 41124/02, N° 92

After conviction

Disciplinary punishment of house arrest imposed on a member of the Civil Guard by his superior: *violation*.

DACOSTA SILVA v. Spain, 69966/01, N°91

Prevent unauthorised entry into country

Seven-day detention in reception centre after asylum-seeker had been granted “temporary admission”: *no violation*.

SAADI v. United Kingdom, 13229/03, N° 88

Article 5(2)

Information on reasons for arrest

76-hour delay in informing “temporarily admitted” asylum-seeker of the grounds for his later detention in a reception centre: *violation*.

SAADI v. United Kingdom, 13229/03, N° 88

Article 5(3)

Judge or other officer

Independence of prosecutor ordering detention on remand: *violation*.

JASIŃSKI v. Poland, 30865/96, N° 82

Brought “promptly” before a judge or other officer

Release after fifteen days but before appeal against custody order is heard: *violation*.

HARKMANN v. Estonia, 2192/03, N° 88

Release pending trial

Impossibility to apply for bail before the court examining the lawfulness of the arrest or detention of persons charged with scheduled offences: *no violation*.

McKAY v. United Kingdom, 543/03, N° 90

Detention on remand

Automatic detention on remand: *violation*.

BOICENCO v. Moldova, 41088/05, N° 88

Length of pre-trial detention

Unreasonable length of pre-trial detention without relevant and sufficient grounds: *violation*.

HÜSEYİN ESEN v. Turkey, 49048/99, N° 88

Length of detention on remand (five years and six months) in the context of international terrorism: *no violation*.

CHRAIDI v. Germany, 65655/01, N° 90

Pre-trial detention lasting five years in proceedings for import and trafficking of drugs by an organised criminal group: *violation*.

ADAMIAK v. Poland, 20758/03, N° 92

Article 5(4)

Review of lawfulness of detention

Orders extending pre-trial detention without adequate grounds, defence unable to access the investigation file, and lack of adequate judicial remedy to control the lawfulness of detention after committal for trial: *violation*.

SVIPSTA v. Latvia, 66820/01, N° 84

Applicant refused leave to attend hearing in order to plead release on account of the particular conditions of her detention and to instruct counsel: *violation*.

MAMEDOVA v. Russia, 7064/05, N° 87

Take proceedings

Unfairness of proceedings to review the lawfulness of detention: *violation*.

FODALE v. Italy, 70148/01, N° 87

Inability to secure an effective examination of the lawfulness of pre-trial detention: *violation*.

HÜSEYİN ESEN v. Turkey, 49048/99, N° 88

Speediness of review

Applications for immediate release from medical confinement never examined: *violation*.

VAN GLABEKE v. France, 38287/02, N° 84

Absence of speedy judicial review of the lawfulness of the applicant's committal to a psychiatric hospital: *violation*.

FILIP v. Romania, 41124/02, N°92

Procedural guarantees of review

Applicant refused leave to attend hearing in order to plead release on account of the particular conditions of her detention and to instruct counsel: *violation*.

MAMEDOVA v. Russia, 7064/05, N° 87

Article 5(5)

Compensation

Detention lawful under domestic law, no provision for compensation for detention in violation of Article 5: *violation*.

HARKMANN v. Estonia, 2192/03, N° 88

ARTICLE 6

Article 6(1) [civil]

Applicability

Proceedings in which a surcharge was levied against a State secondary school's accountant: *Article 6 applicable.*

MARTINIE v. France, 58675/00, N° 85

Delay in registration of ownership change following inheritance proceedings: *Article 6 applicable.*

BUJ v. Croatia, 24661/02, N° 87

Pecuniary dispute between active navy officer and his command: *Article 6 not applicable.*

KANAYEV v. Russia, 43726/02, N° 88

Dispute over the right to continue specialist medical training begun in a different country: *Article 6 applicable.*

KÖK v. Turkey, 1855/02, N° 90

Proceedings before ministerial disciplinary commission concerning recall from post as head of a research institute and transfer to a post with a lower grade: *Article 6 applicable.*

STOJAKOVIC v. Austria, 30003/02, N° 91

Access to court

Impossibility of introducing an action for disavowal of paternity: *violation.*

MIZZI v. Malta, 26111/02, N° 82

Refusal to admit a cassation appeal following the entry into force of a new time-limit for the lodging of such appeals: *violation.*

MELNYK v. Ukraine, 23436/03, N° 84

Non-enforcement of a final judgment which was later quashed following the adoption of a ministerial instruction giving a different interpretation of the relevant law: *violation.*

SUKHOBOKOV v. Russia, 75470/01, N° 85

Dismissal of an action for failure to pay stamp duty of an excessive amount: *violation.*

WEISSMAN v. Romania, 63945/00, N° 86

Dismissal of an appeal on points of law on the ground that the facts on which the court of appeal had based its judgment were not specified by the applicant: *violation.*

LIAKOPOULOU v. Greece, 20627/04, N° 86

Domestic court's failure to examine a civil action, and apparent loss of its case-file: *violation.*

DUBINSKAYA v. Russia, 4856/03, N° 88

Trade union unable to challenge competition authority's decision impacting on a collective labour agreement to which the union was a party: *struck out under Article 37(1)(c) following a unilateral declaration by the Government.*

SWEDISH TRANSPORT WORKERS UNION v. Sweden, 53507/99, N° 88

Refusal of employment permits for foreign nationals, oral hearing and intended employee's access to a tribunal: *violation*.

JURISIC and COLLEGIUM MEHRERAU v. Austria, 62539/00, N° 88
COORPLAN-JENNI GmbH and HASCIC v. Austria, 10523/02, N° 88

Statutory prevention of the enforcement of a final judgment in the applicant's favour: *violation*.

JELIČIĆ v. Bosnia and Herzegovina, 41183/02, N° 90

Compensation awarded by Constitutional Court significantly lower than amounts awarded by the European Court in similar cases: *violation*.

TOMAŠIĆ v. Croatia, 21753/02, N° 90

Obligation to pay expenses prior to the initiation of enforcement proceedings resulting in indigent creditor being unable to obtain enforcement in his favour: *violation*.

APOSTOL v. Georgia, 40765/02, N°91

Lack of access to a court on account of a rule requiring the agreement of all joint owners in order to bring an action for recovery of a property held in common: *violation*.

LUPAS and Others v. Romania, 1434/02, 35370/02 et 1385/03, N°92

Lack of access to a court in respect of claims raised before the Polish-German Reconciliation Foundation regarding forced labour during the Second World War: *violation*.

WOŚ v. Poland, 22860/02

Fair hearing

State Counsel's position in proceedings before the Court of Audit on appeal from a judgment levying a surcharge against a public accountant: *violation*.

MARTINIE v. France, 58675/00, N° 85

Inadequate amount of compensation for expropriation on account of retrospective application of a law: *violation*.

SCORDINO v. Italy (No. 1), 36813/97, N° 85

Failure by the domestic courts to examine a relevant and important ground of appeal by the applicant: *violation*.

PRONINA v. Ukraine, 63566/00, N° 88

Non-enforcement of final judgment and abusive quashing thereof: *violation*.

OFERTA PLUS S.R.L. v. Moldova, 14385/04, N°92

Adversarial trial

Leave to appeal refused in the preliminary procedure of admission of cassation appeals: *no violation*.

SALE v. France, 39765/04, N° 84

Equality of arms

Presence of the "commissaire du gouvernement" at the deliberations of the *Conseil d'Etat*: *violation*.

MARTINIE v. France, 58675/00, N° 85

Refusal to reimburse costs borne in respect of a public prosecutor's unsuccessful civil-law claim in favour of a third party: *violation*.

STANKIEWICZ v. Poland, 46917/99, N° 85

Public hearing

Inability of public accountant against whom a surcharge has been levied to request a public hearing in the Court of Audit: *violation*.

MARTINIE v. France, 58675/00, N° 85

Oral hearing

Lack of oral hearing in proceedings concerning recall from post and transfer to a post with a lower grade for disciplinary reasons: *violation*.

STOJAKOVIC v. Austria, 30003/02, N°91

Reasonable time

Insufficient amount and delay in payment of awards made in the context of a compensatory remedy available to victims of excessively lengthy proceedings: *violation*.

SCORDINO v. Italy (No. 1), 36813/97, and 8 other Italian cases, N° 85

Insufficiency of measures taken following the international abduction of a child: *violation*.

BIANCHI v. Switzerland, 7548/04, N° 87

Incompatibility with the Convention of a domestic decision given in the context of a compensatory remedy available to victims of excessively lengthy proceedings: *violation*.

SUKOBLJEVIC v. Croatia, 5129/03, N°91

Independent and impartial tribunal

Decision taken by the prosecution authorities, and not appealable to a tribunal, to suspend a privatisation: *violation*.

ZLÍNSAT, SPOL. S.R.O. v. Bulgaria, 57785/00, N° 87

Appointment to a key post in the Ministry responsible for mines of a member of the *Conseil d'Etat* who had taken part in proceedings involving questions of mining law: *violation*.

SACILOR-LORMINES v. France, 65411/01, N°91

Overlap of the *Conseil d'Etat's* consultative and judicial functions in the context of the same proceedings involving questions of mining law: *no violation*.

SACILOR-LORMINES v. France, 65411/01, N°91

Impartiality of court and its president who had accepted favours from applicant's opponent without payment: *violation*.

BELUKHA v Ukraine, 33949/02, N°91

Ministerial appeals commission dealing with civil servants' disciplinary matters qualifies as "tribunal".

STOJAKOVIC v. Austria, 30003/02, N°91

Tribunal established by law

Non-compliance with rules on participation of lay judges: *violation*.

FEDOTOVA v. Russia, 73225/01, N° 85

Article 6(1) [criminal]

Applicability

Proceedings for imposition of tax surcharge: *Article 6 applicable.*

JUSSILA v. Finland, 73053/01, N°91

Access to court

Lack of clear procedure and court's failure to rule on admissibility of an appeal: *violation.*

HAJIYEV v. Azerbaijan, 5548/03, N°91

Jurisdiction declined as the impugned NATO air strike had to be considered an act of war and as there was no express right to claim reparation from the State for damage sustained as a result of a violation of the rules of international law: *no violation.*

MARKOVIC AND OTHERS v. Italy, 1398/03, N°92

Fair hearing

Use in evidence of a plastic bag containing drugs obtained by the forcible administration of emetics: *violation.*

JALLOH v. Germany, 54810/00, N° 88

Participation of defendant in hearings by video link: *no violation.*

MARCELLO VIOLA v. Italy, 45106/04, N° 90

Use of evidence obtained in breach of Article 3 and in the absence of a lawyer: *violation.*

GÖÇMEN v. Turkey, 72000/01, N° 90

Conviction of offence prompted by the police: *violation.*

KHUDOBIN v. Russia, 59696/00, N° 90

Loss of victim status following supervisory review as a result of which the applicant was notified of the appeal hearing and his conviction set aside: *no violation.*

ZAYTSEV v. Russia, 22644/02, N°91

Requalification d'un délit en complicité de ce délit par la cour d'appel, au stade du prononcé de l'arrêt : *violation.*

MATTEI v. France, 34043/02, N°92

Equality of arms

Failure to communicate documents from the Defence Ministry's case-file which had formed the basis for a judgment upholding a civil servant's dismissal from the army: *violation.*

AKSOY (EROĞLU) v. Turkey, 59741/00, N° 90

Public hearing

Hearings in trial and appeal courts held in private under summary procedure requested by the defendant: *no violation.*

HERMI v. Italy, 18114/02, N° 90

Applicant's sentence increased by an appeal court sitting *in camera* without his presence or that of his lawyer: *violation.*

CSIKÓS v. Hungary, 37251/04, N° 92

Oral hearing

Defendant summoned to the appeal hearing but not appearing regarded by the authorities as having waived his right to appear: *no violation*.

HERMI v. Italy, 18114/02, N° 90

Tax surcharge imposed without an oral hearing: *no violation*.

JUSSILA v. Finland, 73053/01, N°91

Reasonable time

Period to be taken into account: accused person being a fugitive during part of the proceedings: *violation*.

VAYIÇ v. Turkey, 18078/02, N° 87

Independent and impartial tribunal

Defence counsel found in contempt of court by the same judges before whom the contempt had taken place and judges' use of emphatic language when convicting him: *violation*.

KYPRIANOU v. Cyprus, 73797/01, N° 82

Impartiality of a judge who had on many occasions dealt with the applicant's petitions for release: *no violation*.

JASÍNSKI v. Poland, 30865/96, N° 82

Independence and impartiality of a military court judging a civilian in criminal proceedings: *violation*.

ERĞİN v. Turkey (No. 6), 47533/99, N° 86

Article 6(2)

Presumption of innocence

Compensation for prison sentence set aside for lack of evidence subject to total certainty of convicted person's innocence: *violation*.

PUIG PANELLA v. Spain, 1483/02, N° 85

Lawfulness of a search of the applicant's offices and of the disclosure of psychiatric information: *violation*.

PANTELEYENKO v. Ukraine, 11901/02, N° 87

Comments by judge refusing a defendant's costs order following an acquittal after the prosecution witness had failed to give testimony: *violation*.

YASSAR HUSSAIN v. United Kingdom, 8866/04

Court's statement of the applicant's guilt at the moment of ordering his extended detention on remand: *violation*.

MATIJAŠEVIĆ v. Serbia, 23037/04

Article 6(3)

Rights of the defence

Conviction *in absentia* of an applicant not to be found and declared a runaway, without having informed him of the proceedings against him: *violation*.

SEJDOVIC v. Italy, 56581/00, N° 84

Article 6(3)(a)-(b)

Information on nature and cause of accusation

Adequate time and facilities

Reclassification of the charge from attempted rape to rape following the assize court hearing:
violation.

MIRAUX v. France, 73529/01, N° 89

Reclassification by the appellate court of an offence as complicity in that offence at the stage of delivering judgment: *violation.*

MATTEI v. France, 34043/02, N°92

Article 6(3)(c)

Defence through legal assistance

Failure of authorities to remedy manifest shortcomings on the part of officially appointed counsel:
violation.

SANNINO v. Italy, 30961/03, N° 85

Article 6(3)(d)

Examination of witnesses

Failure to weigh and review the reasons for accepting anonymous witness testimony forming the basis for conviction: *violation.*

KRASNIKI v. Czech Republic, 51277/99, N° 83

Inability of applicant to examine or have examined any witnesses at any stage of proceedings:
violation.

VATURI v. France, 75699/01, N° 85

Court's refusal to hear defence witnesses despite earlier granting of motions to that effect: *violation.*

POPOV v. Russia, 26853/04, N° 88

ARTICLE 7

Article 7(1)

Nullum crimen sine lege

Sentence subject to rules on recidivism as a result of the application of a new law: *no violation.*

ACHOUR v. France, 67335/01, N° 85

ARTICLE 8

Private life

Impossibility to challenge in court the legal presumption of paternity: *violation*.

MIZZI v. Malta, 26111/02, N° 82

Alleged former collaborator with state security agency unable to challenge his registration in agency files in proceedings guaranteeing equal treatment of both parties: *violation*.

TUREK v. Slovakia, 57986/00, N° 83

Personal disqualifications imposed on a bankrupt and attached automatically to the bankruptcy order: *violation*.

ALBANESE v. Italy, 77924/01, N° 84

Transsexual denied legal recognition of her gender change and refused retirement pension from the age applicable to other women: *violation*.

GRANT v. United Kingdom, 32570/03, N° 86

Travel ban because of unpaid taxes: *violation*.

RIENER v. Bulgaria, 46343/99, N° 86

No legal possibility to cancel the registration at the applicant's home address of a previous owner who was unable to establish a new permanent residence: *violation*.

BABYLONOVA v. Slovakia, 69146/01, N° 87

Lawfulness of a search of the applicant's offices and of the disclosure of psychiatric information: *violation*.

PANTELEYENKO v. Ukraine, 11901/02, N° 87

Disregard for procedures for strip-searching visitors to a prison: *violation*.

WAINWRIGHT v. United Kingdom, 12350/04, N° 89

Reproduction in a divorce decree of extract from a personal medical document: *violation*.

L.L. v. France, 7508/02, N° 90

Impossibility to challenge in court a judicial declaration of paternity: *violation*.

PAULIK v. Slovakia, 10699/05, N° 90

Refusal of retrial to challenge paternity finding because scientific progress (DNA test) was not a valid ground for such a challenge: *violation*.

TAVLI v. Turkey, 11449/02, N°91

Continued storage in security police files of information relating to bomb threats against one of the applicants in 1990: *no violation*.

SEGERSTEDT-WIBERG and Others v. Sweden, 62332/00

Continued storage in security police files of information relating to some applicants' political activities in the 1960s and other applicants' membership of a party of Marxist-Leninist revolutionaries: *violation*.

SEGERSTEDT-WIBERG and Others v. Sweden, 62332/00

Private and family life

Refusal to allow foreign mother to remain in the Netherlands, where she has been staying without holding a residence permit, in order to share in the care of Dutch child born there: *violation*.

RODRIGUES DA SILVA AND HOOBKAMER v. Netherlands, 50435/99, N° 82

Refusal to permit widow to transfer her late husband's urn to a family burial plot in a different city: *no violation*.

ELLI POLUHAS DÖDSBO v. Sweden, 61564/00, N° 82

Father's consent required for the continued storage and implantation of fertilised eggs: *no violation*.

EVANS v. the United Kingdom, 6339/05, N° 84

Contact of person held in police custody with relatives: *violation*.

SARI and ÇOLAK v. Turkey, 42596/98 and 42603/98, N° 85

Husband in prison refused permission for artificial insemination: *no violation*.

DICKSON v. United Kingdom, 44362/04, N° 85

Insufficiency of measures taken following the international abduction of a child: *violation*.

BIANCHI v. Switzerland, 7548/04, N° 87

Refusal to authorise a DNA test on a deceased person requested by putative son wishing to establish his parentage with certainty: *violation*.

JÄGGI v. Switzerland, 58757/00, N° 88

Forcible entry in order to search a house at an address indicated by a suspect without proper police verification as to its current residents: *violation*.

KEEGAN v. United Kingdom, 28867/03, N° 88

Withdrawal of residence permit and imposition of ten-year exclusion order, resulting in the applicant's separation from his partner and two children: *no violation*.

ÜNER v. Netherlands, 46410/99, N° 90

Lack of prior environmental study and failure to suspend operation of a plant located close to dwellings and generating toxic emissions: *violation*.

GIACOMELLI v. Italy, 59909/00, N° 91

Arbitrary expulsion of well-integrated foreigner leading a genuine family life in the respondent State: *violation*.

LUPSA v. Romania, 10337/04

Family life

Granting by the Supreme Court of custody over two children to person with whom they were living, instead of to the father, given the preference expressed by the children to stay with this person: *violation*.

C. v. Finland, 18249/02, N° 86

Putative father unable to seek legal paternity by means of a procedure directly accessible to him: *violation*.

RÓŻAŃSKI v. Poland, 55339/00, N° 86

Taking into care of children from a large family on the sole ground that the family's housing was inadequate: *violation*.

WALLOVÁ and WALLA v. Czech Republic, 23848/04, N° 90

Detention and deportation of five-year old child travelling alone to join her mother who had obtained refugee status in a different country: *violation (for mother and child)*.

MUBILANZILA MAYEKA and KANIKI MITUNGA v. Belgium, 13178/03, N° 90

No specific remedy for preventing or punishing child abduction from the territory of the respondent State, resulting in non-enforcement of custody award: *violation*.

BAJRAMI v. Albania, 35853/04, N°92

Applicant banned from entering country in which proceedings leading to deprivation of his parental rights ended without his having been heard: *violation*.

HUNT v. Ukraine, 31111/04, N° 92

Expulsion

Expulsion to Algeria of an applicant who has close links with France: *no violation*.

AOULMI v. France, 50278/99, N° 82

Home

No legal possibility to cancel the registration at the applicant's home address of a previous owner who was unable to establish a new permanent residence: *violation*.

BABYLONOVA v. Slovakia, 69146/01, N° 87

Allegedly illegal search of the applicant's home: *violation*.

H.M. v. Turkey, 34494/97, N° 88

Lack of prior environmental study and failure to suspend operation of a plant located close to dwellings and generating toxic emissions: *violation*.

GIACOMELLI v. Italy, 59909/00, N°91

Search and seizure in Chechnya by agents of the Russian State without any authorisation or safeguards: *violation*.

IMAKAYEVA v. Russia, 7615/02, N°91

ARTICLE 9

FREEDOM OF RELIGION

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

MOSCOW BRANCH OF THE SALVATION ARMY v. Russia, 72881/01, N° 90

ARTICLE 10

Freedom of expression

Defence counsel found in contempt of court following intemperate outburst: *violation*.

KYPRIANOU v. Cyprus, 73797/01, N° 82

Journalists sentenced to pay damages and interests to a high-ranking police officer and a judge: *no violation*.

STÂNGU and SCUTELNICU v. Romania, 53899/00, N° 82

- Conviction for defamation of the Christian community: *violation*.
GINIEWSKI v. France, 64016/00, N° 82
- Conviction for contempt of court of an accused for the terms of his pleadings while defending himself: *violation*.
SADAY v. Turkey, 32458/96, N° 84
- Defamation conviction for allegations by a candidate for Parliament suggesting abuse of power by Deputy Speaker of Parliament: *violation*.
MALISIEWICZ-GAŚSIOR v. Poland, 43797/98, N° 85
- Criminal conviction of investigating journalist for having obtained, in breach of official secret, information about previous convictions of private persons: *violation*.
DAMMANN v. Switzerland, 77551/01, N° 85
- Criminal conviction of journalist for having published a confidential report by an ambassador on strategies to be adopted in diplomatic negotiations: *violation*.
STOLL v. Switzerland, 69698/01, N° 85
- Criminal conviction of journalist by a military court for publishing an article criticising the ceremony to mark departures for military service: *violation*.
ERGİN v. Turkey (No. 6), 47533/99, N° 86
- Conviction for defamation of Catholic Archbishop: *violation*.
KLEIN v. Slovakia, 72208/01, N° 90
- Conviction for criticising a court's judgment: *violation*.
KOBENTER and STANDARD VERLAGS GmbH v. Austria, 60899/00, N°91
- Issue of magazine withdrawn from sale and its further distribution prohibited as it had disclosed documents classified as secret in the context of a parliamentary inquiry: *no violation*.
LEEMPOEL & S.A. ED. CINE REVUE v. Belgium, 64772/01, N°91
- Conviction of a politician for libel of a civil servant: *violation*.
MAMÈRE v. France, 12697/03, N°91
- Editor-in-chief convicted of defamation for having written and published an article labelling an anti-Semitist as a "local neo-fascist": *violation*.
KARMAN v. Russia, 29372/02, N°92
- Journalist convicted of defamation for having reported and commented on a mayor's criminal conviction: *violation*.
DABROWSKI v. Poland, 18235/02, N°92
- Injunction prohibiting broadcaster from showing the picture of a convicted neo-Nazi once he had been released on parole: *violation*.
ÖSTERREICHISCHER RUNDFUNK v. Austria, 35841/02, N°92
- Continued storage in security police files of information relating to some applicants' political activities in the 1960s and other applicants' membership of a party of Marxist-Leninist revolutionaries: *violation*.
SEGERSTEDT-WIBERG and Others v. Sweden, 62332/00
- Forcibly suspended sale of the tape of a television documentary critical of Switzerland's position during the Second World War: *violation*.
MONNAT v. Switzerland, 73604/01

Absolute prohibition on publishing photograph of a business magnate alongside newspaper reports on investigations into his suspected tax evasion: *violation*.

VERLAGSGRUPPE NEWS GMBH (No. 2) v. Austria, 10520/02, N° 92

Freedom to impart information

Radio station ordered to pay damages and costs and to issue an apology for having broadcast an unlawfully obtained telephone conversation between government officials: *violation*.

RADIO TWIST, A.S. v. Slovakia, 62202/00, N°92

ARTICLE 11

Freedom of peaceful assembly

Prohibition of meeting at cemetery intended to counter a gathering in memory of killed SS soldiers by commemorating Jews killed by the SS: *violation*.

ÖLLINGER v. Austria, 76900/01, N° 87

Forceful breaking up by police of a peaceful demonstration, held in a park during a busy period without submission of mandatory prior notification: *violation*.

OYA ATAMAN v. Turkey, 74552/01, N° 92

Freedom of association

Temporary ban on a political party on account of unauthorised gatherings: *violation*.

CHRISTIAN DEMOCRATIC PEOPLE'S PARTY v. Moldova, 28793/02, N° 83

Dissolution of a trade union formed by civil servants: *violation*.

TÜM HABER SEN and ÇINAR v. Turkey, 28602/95, N° 83

Requirement to obtain ministerial authorisation for participating in association meetings abroad: *violation*.

İZMİR SAVAŞ KARŞITLARI DERNEĞİ and Others v. Turkey, 46257/99, N° 84

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

MOSCOW BRANCH OF THE SALVATION ARMY v. Russia, 72881/01, N° 90

Compulsory transfer of civil servant on account of his trade union activities: *violation*.

METİN TURAN v. Turkey, 20868/02, N°91

Refusal to recognise legal personality of civil service trade union already active for several years: *violation*.

DEMİR and BAYKARA v. Turkey, 34503/97, N°91

Refusal to register a political party on the ground that one of its aims was anti-constitutional: *violation*.

LINKOV v. the Czech Republic, 10504/03, N°92

Continued storage in security police files of information relating to some applicants' political activities in the 1960s and other applicants' membership of a party of Marxist-Leninist revolutionaries: *violation*.

SEGERSTEDT-WIBERG and Others v. Sweden, 62332/00

Not join trade unions

Obligation to join trade union as condition of employment: *violation*.

SØRENSEN and RASMUSSEN v. Denmark, 52562/99 and 52620/99, N° 82

Interests of members

Collective agreement already in force for two years declared null and void by court order: *violation*.
DEMİR and BAYKARA v. Turkey, 34503/97, N°91

ARTICLE 12

Found a family

Husband in prison refused permission for artificial insemination: *no violation*.
DICKSON v. United Kingdom, 44362/04, N° 85

ARTICLE 13

Effective remedy

Lack of effective remedy as regards personal disqualifications imposed on a bankrupt and attached automatically to the bankruptcy order: *violation*.

ALBANESE v. Italy, 77924/01, N° 84

Lack of effective investigation into death of a conscript while performing military service: *violation*.
ATAMAN v. Turkey, 46252/99, N° 85

Travel ban because of unpaid taxes: *violation*.

RIENER v. Bulgaria, 46343/99, N° 86

Lack of effectiveness of domestic remedies concerning length of judicial proceedings: *violation*.
SÜRMELE v. Germany, 75529/01, N° 87

Lawfulness of a search of the applicant's offices and of the disclosure of psychiatric information: *violation*.

PANTELEYENKO v. Ukraine, 11901/02, N° 87

Absence of a remedy in domestic law permitting a detainee to contest his placement in solitary confinement: *violation*.

RAMIREZ SANCHEZ v. France, 59450/00, N° 88

Effectiveness of criminal proceedings that had resulted in the conviction of police officers but which were subsequently discontinued under the statute of limitations: *violation*.

HÜSEYİN ESEN v. Turkey, 49048/99, N° 88

Courts unable to examine issues of proportionality or reasonableness in proceedings for damages for a forcible entry and search allegedly conducted with malice: *violation*.

KEEGAN v. United Kingdom, 28867/03, N° 88

Prison officers' negligence did not give grounds for any civil liability for strip-searches, in particular as there was no general tort of invasion of privacy: *violation*.

WAINWRIGHT v. United Kingdom, 12350/04, N° 89

No remedy whereby transfer of civil servant by governor of state-of-emergency region could be challenged: *violation*.

METİN TURAN v. Turkey, 20868/02, N°91

ARTICLE 14

Discrimination (Article 4(3)(d))

Discrimination against men to negligible percentage of women requested to undertake jury service: *violation*.

ZARB ADAMI v. Malta, 17902/02, N° 87

Discrimination (Article 8)

Impossibility to disclaim paternity established by final judicial decision, in contrast with presumed paternity: *violation*.

PAULIK v. Slovakia, 10699/05, N° 90

Discrimination (Article 1 of Protocol No. 1)

Differences in the entitlement for men and women to certain industrial injuries social security benefits: *no violation*.

STEC and Others v. United Kingdom, 65731/01 and 65900/01, N° 85

Alleged discrimination against unmarried cohabiting family members in light of their future liability for inheritance tax, in comparison with survivors of a marriage or a civil partnership: *no violation*.

BURDEN and BURDEN v. United Kingdom, 13378/05, N°92

Discrimination (Article 2 of Protocol No. 1)

Placement of Roma gypsy children in “special” schools: *no violation*.

D.H. and Others v. Czech Republic, 57325/00, N° 83

ARTICLE 34

Victim

Decision taken by the prosecuting authorities and not appealable to a tribunal, to suspend a privatisation: *violation*.

ZLÍNSAT, SPOL. S.R.O v. Bulgaria, 57785/00, N° 87

Lack of adequate redress for excessive length of proceedings: *violation*.

GRÄSSER v. Germany, 66491/01, N° 90

Compensation awarded by Constitutional Court significantly lower than amounts awarded by the European Court in similar cases: *victim status granted*.

TOMAŠIĆ v. Croatia, 21753/02, N° 90

Applicants could claim to be directly affected by an inheritance law, given their advanced age and the very high probability that one of them would be liable to pay inheritance tax upon the death of the other: *victim status granted*.

BURDEN and BURDEN v. United Kingdom, 13378/05, N°92

Complaint by mayor that the authorities had not taken the necessary security measures in his village to protect his son’s life, although his administrative and parental responsibility was engaged in the accident in question: *victim status rejected*.

PAŞA and ERKAN EROL v. Turkey, 51358/99, N° 92

Hinder exercise of the right of petition

Hindrance of the right of individual application as a result of non-respect by the defending State of the measure indicated under Rule 39: *violation*.

AOULMI v. France, 50278/99, N° 82

Police inquiry into the payment of taxes by the applicant's translator and representative before the Court in connection with her claim for just satisfaction: *violation*.

FEDOTOVA v. Russia, 73225/01, N° 85

Failure to comply with an indication by the Court not to extradite the applicant: *failure to comply with obligations under Article 34*.

OLAECHEA CAHUAS v. Spain, 24668/03, N° 88

Prisoner intimidated by illicit pressure from State officials: *failure to comply with obligations under Article 34*.

POPOV v. Russia, 26853/04, N° 88

Denial of access to detained applicant and his medical file: *failure to comply with obligations under Article 34*.

BOICENCO v. Moldova, 41088/05, N° 88

Criminal proceedings initiated against chief executive officer and his detention ordered with the aim to discourage his company from pursuing its application before the Court: *violation*.

OFERTA PLUS S.R.L. v. Moldova, 14385/04, N°92

Refusal to allow the applicant company's counsel to confer with its chief executive officer in a detention facility without being separated by a glass partition: *violation*.

OFERTA PLUS S.R.L. v. Moldova, 14385/04, N°92

Non-governmental organisation

Public broadcaster qualifies as a "non-governmental organisation" in light of its editorial independence and institutional autonomy: *victim status accepted*.

ÖSTERREICHISCHER RUNDFUNK v. Austria, 35841/02, N°92

ARTICLE 35

Article 35(1)

Exhaustion of domestic remedy (Croatia)

Incompatibility with the Convention of a domestic decision given in the context of a compensatory remedy available to victims of excessively lengthy proceedings: *violation*.

SUKOBLJEVIĆ v. Croatia, 5129/03, N°91

Exhaustion of domestic remedy (France)

Applicant's decision not to pursue divorce proceedings in the Court of Cassation after rejection of his application for legal aid: *preliminary objection dismissed*.

L.L. v. France, 7508/02, N° 90

Exhaustion of domestic remedy (Georgia)

Constitutional complaint not an appropriate remedy for an applicant financially barred from initiating enforcement proceedings: *preliminary objection dismissed*.

APOSTOL v. Georgia, 40765/02, N°91

Exhaustion of domestic remedy (Hungary)

Constitutional complaint not an effective remedy as the impugned criminal appellate proceedings could not be reopened in consequence: *preliminary objection dismissed*.

CSIKÓS v. Hungary, 37251/04, N° 92

Exhaustion of domestic remedy (Italy)

Application for leave to appeal out of time from applicant convicted *in absentia* and declared a runaway: *preliminary objection dismissed*.

SEJDOVIC v. Italy, 56581/00, N° 84

Exhaustion of domestic remedy (Netherlands)

Strip-search of prisoner; civil action introduced after application: *violation, Article 41 reserved*.

SALAH v. Netherlands, 8196/02, N° 88
BAYBAŞIN v. Netherlands, 13600/02, N° 88

Article 35(3)

Competence *ratione temporis*

Alleged violation based on facts occurring before ratification of the Convention: *preliminary objection accepted*.

BLEČIĆ v. Croatia, 59532/00, N° 84

ARTICLE 37

Article 37(1)

Matter resolved

Ex gratia payment to holders of fishing rights who had been unable to have their complaint examined by a domestic court: *struck out*.

DANELL and Others v. Sweden, 54695/00, N° 82

Continued examination not justified

Legislative review of limitations on access to court, and Government's acknowledgment of a violation and offer to pay the applicant compensation: *struck out*.

SWEDISH TRANSPORT WORKERS UNION v. Sweden, 53507/99, N° 88

Some applicants had received payment in full of “frozen” foreign currency deposits, and domestic proceedings in Croatia are still open to a further applicant: *struck out*.

KOVAČIĆ and Others v. Slovenia, 44574/98, 45133/98 and 48316/99, N°91

Article 37(2)

Restoring an application to the list of cases

Applicant changes her mind after having withdrawn her application: *application not restored*.

STEC and Others v. United Kingdom, 65731/01 and 65900/01, N° 85

ARTICLE 38

Furnish all necessary facilities

Government’s repeated failure to submit documents requested by the Court: *failure to comply with obligations under Article 38(1)*.

IMAKAYEVA v. Russia, 7615/02, N°91

ARTICLE 41

Just satisfaction

Compensation for disability not detected prenatally owing to error: *friendly settlement*.

DRAON v. France, 1513/03, N° 87

MAURICE v. France, 11810/03, N° 87

Strip-search of prisoner; civil action introduced after application: *Article 41 reserved*

SALAH v. Netherlands, 8196/02, N° 88

BAYBAŞIN v. Netherlands, 13600/02, N° 88

Damage suffered by villagers deprived of access to their village for nearly ten years: *monetary award*.

DOĞAN and Others v. Turkey, 8803-8811/02, 8813/02 and 8815-8819/02, N° 88

Restitution of nationalised property: *friendly settlements*.

SMOLEANU v. Romania, 30324/96

LINDNER and HAMMERMAYER v. Romania, 35671/97

POPOVICI and DUMITRESCU v. Romania, 31549/96

ARTICLE 46

Execution of judgment

Retrial or reopening of the proceedings in order to redress violation found in respect of a person convicted *in absentia*.

SEJDOVIC v. Italy, 56581/00, N° 84

Government Bill introducing a remedy with a view to preventing procedural delays: *unnecessary for the Court to indicate general measures to be taken at national level*.

SÜRMELE v. Germany, 75529/01, N° 87

Respondent State to secure in its domestic legal order a mechanism maintaining a fair balance between the interests of landlords and the general interest of the community

HUTTEN-CZAPSKA v. Poland, 35014/97, N° 87

ARTICLE 1 OF PROTOCOL No. 1

Peaceful enjoyment of possessions

Refusal by tax authorities to pay the applicant company interest for late payment in respect of reimbursement of monies unduly paid by the latter in tax: *violation*.

EKO-ELDA AVEE v. Greece, 10162/02, N° 84

Impossibility to pursue a claim before the courts due to an excessive amount of stamp duty: *violation*.

WEISSMAN v. Romania, 63945/00, N° 86

Delays in enforcing judgments awarding salary arrears to judges: *violation*.

ZUBKO and Others v. Ukraine, 3955/04, 5622/04, 8538/04 and 11418/04, N° 86

Impossibility of recovering property or obtaining adequate rent from tenants: *violation*.

HUTTEN-CZAPSKA v. Poland, 35014/97, N° 87

Impossibility of obtaining enforcement of final judgment ordering release of money in “frozen” foreign-currency bank account: *violation*.

JELIČIĆ v. Bosnia and Herzegovina, 41183/02, N° 90

Impossibility to build on land designated for expropriation at some undetermined date, without any compensation: *violation*.

SKIBIŃSCY v. Poland, 52589/99, N°91

Deprivation of property

Inadequate amount of compensation for expropriation: *violation*.

SCORDINO v. Italy (No. 1), 36813/97, N° 85

Absence of compensation for *de facto* occupation and subsequent transfer of property title to the State due to 20 years’ statutory limitation period: *violation*.

BÖREKÇIOGULLARI (CÖKMEZ) v. Turkey, 58650/00, N° 90

Control of the use of property

Decision taken by the prosecuting authorities and not appealable to a tribunal to suspend a privatisation: *violation*.

ZLÍNSAT, SPOL. S.R.O v. Bulgaria, 57785/00, N° 87

Requisition of building for Government use and imposition of quasi-lease agreement having lasted 65 years: *violation*.

FLERI SOLER AND CAMILLERI v. Malta, 35349/05, N° 89

Requisition of building for third-party use and imposition of a quasi-lease agreement having lasted 22 years: *violation*.

GHIGO v. Malta, 31122/05, N° 89

Extension of lease agreed with former landlord, with no rent paid for several years, as a consequence of the failure by the new owner to comply with formalities for termination of lease: *violation*.

RADOVICI and STĂNESCU v. Romania, 68479/01, 71351/01 and 71352/01, N°91

ARTICLE 2 OF PROTOCOL No. 1

Right to education

Annulment of the successful results of a candidate sitting university admission exams given his poor results in previous years: *violation*.

MÜRSEL EREN v. Turkey, 60856/00, N° 83

Placement of Roma gypsy children in “special” schools: *no violation*.

D.H. and Others v. Czech Republic, 57325/00, N° 83

Refusal to recognise specialist medical training undertaken abroad for failure to satisfy the relevant criteria: *no violation*.

KÖK v. Turkey, 1855/02, N° 90

ARTICLE 3 OF PROTOCOL No. 1

Free expression of opinion of people

Immediate application during current parliamentary term of provision disqualifying those engaging in professional activities from sitting as Members of Parliament: *violation*.

LYKOUREZOS v. Greece, 33554/03, N° 87

Vote

Suspension of a bankrupt’s electoral rights, attached automatically to the bankruptcy order: *violation*.

ALBANESE v. Italy, 77924/01, N° 84

Stand for election

Former leading member of Soviet-era Communist party disqualified as a parliamentary candidate: *no violation*.

ŽDANOKA v. Latvia, 58278/00, N° 84

Refusal to register candidate for parliamentary elections as he had failed to pay an electoral deposit: *no violation*.

SUKHOVETSKYY v. Ukraine, 13716/02, N° 84

ARTICLE 2 OF PROTOCOL No. 4

Freedom of movement

Fine unlawfully imposed on foreigner for his failure to register his changed whereabouts: *violation*.

BOLAT v. Russia, 14139/03, N° 90

Freedom to choose residence

Fine unlawfully imposed on foreigner for his failure to register his changed whereabouts: *violation*.

BOLAT v. Russia, 14139/03, N° 90

Absolute prohibition on a person having had access to “State secrets” to travel abroad for a long period: *violation*.

BARTIK v. Russia, 55565/00, N° 92

Freedom to leave a country

Travel ban because of unpaid taxes: *violation*.

RIENER v. Bulgaria, 46343/99, N° 86

Withdrawal of suspect's passport for over a decade while criminal proceedings were pending: *violation*.

FÖLDES AND FÖLDESNE HAJLIK v. Hungary, 41463/02, N° 90

ARTICLE 1 OF PROTOCOL No. 7

Expulsion of an alien

Expulsion in the absence of a judicial decision albeit such was required by domestic law: *violation*.

BOLAT v. Russia, 14139/03, N° 90

Expulsion without providing the deportee any indication of the offence of which he was suspected: *violation*.

LUPSA v. Romania, 10337/04

ARTICLE 4 OF PROTOCOL No. 7

Ne bis in idem

Legal classification of similar charges in two successive sets of proceedings against the applicant based on separate facts: *no violation*.

MARCELLO VIOLA v. Italy, 45106/04, N° 90

V. JUDGMENTS AND DECISIONS SELECTED FOR PUBLICATION

The following judgments and decisions delivered or adopted in 2006 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. The composition of the volumes has not yet been confirmed.

Judgments

52562/99)	SØRENSEN and RASMUSSEN v. Denmark*
52620/99)	
56581/00	SEJDOVIC v. Italy*
59532/00	BLECIC v. Croatia*
26111/02	MIZZI v. Malta (extracts)
61564/00	ELLI POLUHAS DÖDSBO v. Sweden
54695/00	DANELL and others v. Sweden (friendly settlement)
50278/99	AOULMI v. France (extracts)
50435/99	RODRIGUES DA SILVA and HOOGKAMER v. the Netherlands
64016/00	GINIEWSKI v. France
60856/00	MÜRSEL EREN v. Turkey
28793/02	CHRISTIAN DEMOCRATIC PEOPLE'S PARTY v. Moldova
57986/00	TUREK v. Slovakia (extracts)
28602/95	TÜM HABER SEN and ÇINAR v. Turkey
38287/02	VAN GLABEKE v. France
8866/04	HUSSAIN v. the United Kingdom
73786/01	CENBAUER v. Croatia
10162/02	EKO-ELDA AVEE v. Greece
59261/00	MENESHEVA v. Russia
66820/01	SVIPSTA v. Latvia (extracts)
58278/00	ŽDANOKA v. Latvia*
36813/97	SCORDINO v. Italy (No. 1)*
64699/01	MUSCI v. Italy* (extracts)
64886/01	COCCHIARELLA v. Italy*
67335/01	ACHOUR v. France*
58675/00	MARTINIE v. France*
65731/01	STEC and others v. the United Kingdom*
77955/01	CAMPAGNANO v. Italy
13716/02	SUKHOVETSKYY v. Ukraine
42596/98)	SARI and ÇOLAK v. Turkey (extracts)
42603/98)	
46917/99	STANKIEWICZ v. Poland
3955/04)	ZUBKO and others v. Ukraine (extracts)
5622/04)	
8538/04)	
11418/04)	
30961/03	SANNINO v. Italy
47533/99	ERGIN v. Turkey (no. 6) (extracts)
32570/03	GRANT v. the United Kingdom
63945/00	WEISSMAN and others v. Romania (extracts)
75529/01	SÜRMEI v. Germany*
35014/97	HUTTEN-CZAPSKA v. Poland*
11810/03	MAURICE v. France (just satisfaction – friendly settlement)*
1513/03	DRAON v. France (just satisfaction – friendly settlement)*
59450/00	RAMIREZ SANCHEZ v. France*

54810/00 JALLOH v. Germany*
 70148/01 FODALE v. Italy
 62332/00 SEGERSTEDT-WIBERG v. Sweden
 22860/02 WOŚ v. Poland
 10337/04 LUPSA v. Romania
 33554/03 LYKOUREZOS v. Greece
 18078/02 VAYIC v. Turkey (extracts)
 17209/02 ZARB ADAMI v. Malta
 69146/01 BABYLONOVA v. Slovakia
 76900/01 ÖLLINGER v. Austria
 8196/02 SALAH v. the Netherlands (extracts)
 58757/00 JÄGGI v. Switzerland
 28867/03 KEEGAN v. the United Kingdom
 75778/01 MAMIC v. Slovenia (extracts)
 24668/03 OLAECHEA CAHUAS v. Spain (extracts)
 23037/04 MATIJASEVIC v. Serbia
 543/03 McKAY v. the United Kingdom*
 46410/99 ÜNER v. the Netherlands*
 18114/02 HERMI v. Italy*
 73604/01 MONNAT v. Switzerland
 35349/05 FLERI SOLER and CAMILLERI v. Malta
 12350/04 WAINWRIGHT v. the United Kingdom
 14139/03 BOLAT v. Russia (extracts) (not final)
 72881/01 MOSCOW BRANCH OF THE SALVATION ARMY v. Russia (not final)
 45106/04 MARCELLO VIOLA v. Italy (extracts) (not final)
 7508/02 L.L. v. France (not final)
 10699/05 PAULIK v. Slovakia (extracts) (not final)
 13178/03 MAYEKA and MITUNGA v. Belgium (not final)
 52067/99 OKKALI v. Turkey (extracts) (not final)
 65655/01 CHRAIDI v. Germany (not final)
 59696/00 KHUDOBIN v. Russia (extracts) (not final)
 41463/02 FÖLDES and FÖLDESNE HAJLIK v. Hungary (not final)
 41183/02 JELIČIĆ v. Bosnia and Herzegovina (not final)

Decisions

18584/04 HINGITAQ 53 v. Denmark
 18888/02 ICYER v. Turkey
 23052/04) KOLK and KISLYIY v. Estonia
 24018/04)
 26625/02 KÖSE and others v. Turkey
 65500/01 KURTULMUS v. Turkey
 66783/01 MELCHIOR v. Germany
 2476/02 THEVENON v. France
 27034/05 Z. and T. v. the United Kingdom
 26557/04 SAYDAM v. Turkey
 70074/01 VALICO srl v. Italy
 38258/03 VAN VONDEL v. the Netherlands
 44081/02 BOMPARD v. France
 56550/00 MOLKA v. Poland
 5667/02 KERETCHACHVILI v. Georgia (extracts)
 1396/06 McBRIDE v. the United Kingdom
 1338/03 ESTATE OF KRESTEN FILTENBORG MORTENSEN v. Denmark
 6213/03 LEDERER v. Germany
 38184/03 MATYJEK v. Poland

28807/04 HOUDART and VINCENT v. France (extracts)
28578/03 SZABO v. Sweden
54934/00 WEBER and SARAVIA v. Germany
26937/04 TRESKA v. Albania and Italy (extracts)
33244/02 GAVELLA v. Croatia (extracts)
76642/01 ASSOCIATION SOS ATTENTATS and DE BOERY v. France*

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

VI. STATISTICAL INFORMATION

Judgments, decisions and communications, by Court composition (2006)⁸

Judgments delivered	2006
Grand Chamber	30(32)
Section I	253(263)
Section II	360(447)
Section III	444(469)
Section IV	291(316)
Section V*	164(173)
former Sections	18(20)
Total	1560(1720)

* Operational from 1 April 2006.

Judgments delivered in 2006					
	Merits	Friendly settlements	Struck out	Others	Total
Grand Chamber	25(27)	3	0	2	30(32)
Section I	248(258)	3	2	0	253(263)
Section II	351(438)	4	3	2	360(447)
Section III	430(441)	10	1	3(17)	444(469)
Section IV	279(303)	7(8)	0	5	291(316)
Section V	163(172)	1	0	0	164(173)
former Section I	0	0	0	1	1
former Section II	12	0	0	1	13
former Section III	0	0	1(3)	1	2(4)
former Section IV	2	0	0	0	2
Total	1510(1653)	28(29)	7(9)	15(29)	1560(1720)

⁸ 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 Chapter 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 as well as between the tables in this Survey and those in the Annual Activity Report of each Section. As regards, in particular, the number of applications lodged during 2006, this number is likely to be revised upwards as some of the applications having arrived towards the end of 2006 are still being dealt with administratively (the estimated final number being 50,500).

Decisions adopted		2006
I. Applications declared admissible⁹		
Grand Chamber / Grande Chambre		0
Section I		130(136)
Section II		28(31)
Section III		30(33)
Section IV		48(50)
Section V		17(19)
Total		253(269)
II. Applications declared inadmissible		
Grand Chamber		0
Section I	- Chamber	56
	- Committee/Comité	5947
Section II	- Chamber	98(128)
	- Committee	4477
Section III	- Chamber	703(725)
	- Committee	4752
Section IV	- Chamber	145(146)
	- Committee	7431
Section V	- Chamber	71(72)
	- Committee	3509
Total		27189(27243)
III. Applications struck off		
Grand Chamber		1
Section I	- Chamber	106
	- Committee	58
Section II	- Chamber	131(133)
	- Committee	94
Section III	- Chamber	79(103)
	- Committee	86
Section IV	- Chamber	87(88)
	- Committee	115
Section V	- Chamber	81(82)
	- Committee	41
Total		879(907)
Total number of decisions*		28321(28419)

*Not including partial decisions.

Applications communicated / Requêtes communiquées	2006
Section I	694
Section II	632(641)
Section III	873
Section IV	539
Section V	453
Total number of applications communicated	3191(3200)

⁹ Excluding applications declared admissible in a judgment covering both the admissibility and the merits, pursuant to Article 29(3) of the Convention.

Events in total (2005-2006)

1. Applications lodged [round figures (50)]	2006 (estimation)	2005	+/-
Applications lodged	50500	45500	11%

2. Applications allocated to a judicial formation (Committee/Chamber) [round figures (50)]	2006	2005	+/-
Applications allocated	39350	35400	11%

3. Interim procedural events	2006	2005	+/-
Applications communicated to respondent Government for observations	3210	2860	12%
Applications declared admissible	1634	1036	58%
- in separate decision	266	399	-33%
- in judgment on merits	1368	637	115%

4. Applications disposed of	2006	2005	+/-
Judicially	29658	28565	4%
- by final judgment ¹⁰	1498	952	57%
- by decision (inadmissible or struck off)	28160	27613	2%
Administratively (applications not pursued - files destroyed)	12251	13997	-12%

5. Pending applications [round figures (50)]	31/12/2006	01/01/2006	+/-
All applications	89900	81000	11%
Applications not allocated to a judicial formation	23400	24200	-3%
Applications pending before a judicial formation	66500	56800	17%
- Chamber (7 judges)	22950	21900	5%
- Committee (3 judges)	43550	34900	25%

¹⁰ Under Article 43 of the Convention, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-member Grand Chamber. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer.

Events other than judgments, by respondent State (2006)

Etat <i>State</i>	Requêtes introduites (statistiques provisoires) <i>Applications lodged (provisional statistics)</i>	Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>	Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off</i>	Requêtes communiquées au Gouvernement <i>Applications referred to Government</i>	Requêtes déclarées recevables <i>Applications declared admissible</i>
Albania/ <i>Albanie</i>	60	52	28	15	2
Andorra/ <i>Andorre</i>	6	8	9	1	-
Armenia/ <i>Arménie</i>	89	98	95	10	1
Austria/ <i>Autriche</i>	432	341	150	30	18
Azerbaijan/ <i>Azerbaïdjan</i>	443	223	57	13	5
Belgium/ <i>Belgique</i>	220	106	110	22	17
Bosnia and Herzegovina/ <i>Bosnie-Herzégovine</i>	286	240	149	32	1
Bulgaria/ <i>Bulgarie</i>	845	746	832	110	37
Croatia/ <i>Croatie</i>	606	642	352	50	22
Cyprus/ <i>Chypre</i>	78	56	64	31	8
Czech Republic/ <i>République Tchèque</i>	2755	2476	1264	79	32
Denmark/ <i>Danemark</i>	105	66	96	4	4
Estonia/ <i>Estonie</i>	229	183	88	6	3
Finland/ <i>Finlande</i>	290	262	187	11	23
France/ <i>France</i>	2841	1832	1374	86	119
Georgia/ <i>Georgie</i>	105	105	33	22	2
Germany/ <i>Allemagne</i>	2151	1587	1121	28	8
Greece/ <i>Grèce</i>	430	371	236	66	45
Hungary/ <i>Hongrie</i>	528	425	302	37	32
Iceland/ <i>Islande</i>	14	12	7	2	-
Ireland/ <i>Irlande</i>	69	40	53	-	-
Italy/ <i>Italie</i>	1268	934	580	377	79
Latvia/ <i>Lettonie</i>	383	269	75	24	11

Events other than judgments, by respondent State (2006)

Etat <i>State</i>	Requêtes introduites (statistiques provisoires) <i>Applications lodged (provisional statistics)</i>	Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>	Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off</i>	Requêtes communiquées au Gouvernement <i>Applications referred to Government</i>	Requêtes déclarées recevables <i>Applications declared admissible</i>
Liechtenstein/ <i>Liechtenstein</i>	-	1	-	-	1
Lithuania/ <i>Lituanie</i>	233	203	169	25	9
Luxembourg/ <i>Luxembourg</i>	59	31	17	8	4
Malta/ <i>Malte</i>	27	16	10	4	5
Moldova/ <i>Moldovie</i>	621	519	248	99	36
Monaco/ <i>Monaco</i>	6	4	1	-	-
Netherlands/ <i>Pays-Bas</i>	536	397	333	13	6
Norway/ <i>Norvège</i>	82	67	61	5	10
Poland/ <i>Pologne</i>	4470	3990	5816	254	111
Portugal/ <i>Portugal</i>	288	216	124	29	17
Romania/ <i>Roumanie</i>	4583	3312	2323	287	58
Russia/ <i>Russie</i>	10569	10177	4856	380	151
San Marino/ <i>Saint-Marin</i>	-	2	3	-	-
Serbia and Montenegro/ <i>Serbie-Monténégro</i>	671	586	421	40	1
Slovak Republic/ <i>Republique Slovaque</i>	537	486	130	63	40
Slovenia/ <i>Slovénie</i>	1408	1340	226	40	193
Spain/ <i>Espagne</i>	517	359	284	15	3
Sweden/ <i>Suède</i>	472	371	435	12	5
Switzerland/ <i>Suisse</i>	334	277	170	5	5
FYRO Macedonia/ <i>ERY Macédoine</i>	343	289	66	29	10
Turkey/ <i>Turquie</i>	2280	2330	3166	497	362
Ukraine/ <i>Ukraine</i>	3906	2482	1076	313	131
United Kingdom/ <i>Royaume-Uni</i>	1557	844	963	39	7
Total	47733	39373	28160	3213	1634

Judgments, by respondent State (2006)

Etat State	Arrêts (fond) <i>Judgments (merits)</i>	Arrêts (définitif-après renvoi devant la Grande Chambre) <i>Judgments (final-after referral to Grand Chamber)</i>	Arrêts (satisfaction équitable) <i>Judgments (just satisfaction)</i>	Arrêts (règlement amiable) <i>Judgments (friendly settlements)</i>	Arrêts (radiation) <i>Judgments (striking out)</i>	Arrêts (exceptions préliminaires) <i>Judgments (preliminary objections)</i>	Arrêts (interprétation) <i>Judgments (interpretation)</i>	Arrêts (révision) <i>Judgments (revision)</i>
Albania/Albanie	2	-	-	-	-	-	-	-
Andorra/Andorre	-	-	1	-	-	-	-	-
Armenia/Arménie	-	-	-	-	-	-	-	-
Austria/Autriche	21	-	-	-	-	-	-	-
Azerbaijan/Azerbaïdjan	1	-	-	-	2	-	-	-
Belgium/Belgique	5	-	-	2	-	-	-	-
Bosnia and Herzegovina/Bosnie-Herzégovine	1	-	-	-	-	-	-	-
Bulgaria/Bulgarie	45	-	-	-	-	-	-	-
Croatia/Croatie	22	-	-	-	-	-	-	-
Cyprus/Chypre	15	-	-	-	-	-	-	-
Czech Republic/République Tchèque	38	-	1	-	-	-	-	-
Denmark/Danemark	2	-	-	-	-	-	-	-
Estonia/Estonie	1	-	-	-	-	-	-	-
Finland/Finlande	15	-	1	1	-	-	-	-
France/France	91	2	2	-	1	-	-	-
Georgia/Georgie	5	-	-	-	-	-	-	-
Germany/Allemagne	8	-	-	2	-	-	-	-
Greece/Grèce	53	-	1	1	-	-	-	-
Hungary/Hongrie	32	-	-	-	-	-	-	-
Iceland/Islande	-	-	-	-	-	-	-	-
Ireland/Irlande	-	-	-	-	-	-	-	-
Italy/Italie	92	9	-	2	-	-	-	-
Latvia/Lettonie	9	1	-	-	-	-	-	-

Judgments, by respondent State (2006)

Etat	Arrêts (fond)	Arrêts (définitif-après renvoi devant la Grande Chambre)	Arrêts (satisfaction équitable)	Arrêts (règlement amiable)	Arrêts (radiation)	Arrêts (exceptions préliminaires)	Arrêts (interprétation)	Arrêts (révision)
State	Judgments (merits)	Judgments (final-after referral to Grand Chamber)	Judgments (just satisfaction)	Judgments (friendly settlements)	Judgments (striking out)	Judgments (preliminary objections)	Judgments (interpretation)	Judgments (revision)
Liechtenstein/ <i>Liechtenstein</i>	1	-	-	-	-	-	-	-
Lithuania/ <i>Lituanie</i>	6	-	-	-	1	-	-	-
Luxembourg/ <i>Luxembourg</i>	2	-	-	-	-	-	-	-
Malta/ <i>Malte</i>	8	-	-	-	-	-	-	-
Moldova/ <i>Moldovie</i>	18	-	2	-	-	-	-	-
Monaco/ <i>Monaco</i>	-	-	-	-	-	-	-	-
Netherlands/ <i>Pays-Bas</i>	7	-	-	-	-	-	-	-
Norway/ <i>Norvège</i>	1	-	-	-	-	-	-	-
Poland/ <i>Pologne</i>	114	1	-	-	-	-	-	-
Portugal/ <i>Portugal</i>	4	-	1	-	-	-	-	-
Romania/ <i>Roumanie</i>	67	-	1	5	-	-	-	-
Russia/ <i>Russie</i>	102	-	-	-	-	-	-	-
San Marino/ <i>Saint-Marin</i>	-	-	-	-	-	-	-	-
Serbia and Montenegro/ <i>Serbie-Monténégro</i>	1	-	-	-	-	-	-	-
Slovak Republic/ <i>Republique Slovaque</i>	34	-	-	-	-	-	-	-
Slovenia/ <i>Slovénie</i>	189	-	-	-	1	-	-	-
Spain/ <i>Espagne</i>	5	-	-	-	-	-	-	-
Sweden/ <i>Suède</i>	5	-	-	2	1	-	-	-
Switzerland/ <i>Suisse</i>	9	-	-	-	-	-	-	-
FYRO Macedonia/ <i>ERY Macédoine</i>	8	-	-	-	-	-	-	-
Turkey/ <i>Turquie</i>	320	-	3	8	1	-	-	2
Ukraine/ <i>Ukraine</i>	120	-	-	-	-	-	-	-
United Kingdom/ <i>Royaume-Uni</i>	18	-	-	5	-	-	-	-
Total	1497	13	13	28	7	-	-	2

Events other than judgments, by respondent State (1 November 1998-2006)

Etat State	Requêtes introduites (statistiques provisoires) <i>Applications lodged (provisional statistics)</i>	Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>	Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off</i>	Requêtes communiquées au Gouvernement <i>Applications referred to Government</i>	Requêtes déclarées recevables <i>Applications declared admissible</i>
Albania/ <i>Albanie</i>	240	150	75	28	4
Andorra/ <i>Andorre</i>	25	22	18	2	2
Armenia/ <i>Arménie</i>	690	378	209	34	2
Austria/ <i>Autriche</i>	3427	2294	1975	270	156
Azerbaijan/ <i>Azerbaïdjan</i>	1478	785	422	36	8
Belgium/ <i>Belgique</i>	2095	995	818	145	89
Bosnia and Herzegovina/ <i>Bosnie-Herzégovine</i>	919	649	266	38	2
Bulgaria/ <i>Bulgarie</i>	5676	4199	2548	357	148
Croatia/ <i>Croatie</i>	4338	3540	2285	278	103
Cyprus/ <i>Chypre</i>	421	305	202	78	33
Czech Republic/ <i>République Tchèque</i>	8401	6494	3205	412	123
Denmark/ <i>Danemark</i>	997	558	532	52	22
Estonia/ <i>Estonie</i>	1188	872	485	26	14
Finland/ <i>Finlande</i>	1993	1577	1218	149	84
France/ <i>France</i>	23582	11558	9000	916	590
Georgia/ <i>Georgie</i>	413	318	140	52	11
Germany/ <i>Allemagne</i>	16005	8637	6140	201	69
Greece/ <i>Grèce</i>	2935	2144	1409	479	295
Hungary/ <i>Hongrie</i>	3658	2544	1559	181	92
Iceland/ <i>Islande</i>	73	51	41	8	6
Ireland/ <i>Irlande</i>	522	247	227	14	12
Italy/ <i>Italie</i>	24141	8553	5537	2407	1617
Latvia/ <i>Lettonie</i>	2047	1276	631	93	29

Events other than judgments, by respondent State (1 November 1998-2006)

Etat <i>State</i>	Requêtes introduites (statistiques provisoires) <i>Applications lodged (provisional statistics)</i>	Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>	Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off</i>	Requêtes communiquées au Gouvernement <i>Applications referred to Government</i>	Requêtes déclarées recevables <i>Applications declared admissible</i>
Liechtenstein/ <i>Liechtenstein</i>	24	21	17	3	3
Lithuania/ <i>Lituanie</i>	2722	2236	1813	106	46
Luxembourg/ <i>Luxembourg</i>	382	160	120	31	15
Malta/ <i>Malte</i>	109	57	38	21	14
Moldova/ <i>Moldovie</i>	2798	2084	842	276	92
Monaco/ <i>Monaco</i>	14	5	1	-	-
Netherlands/ <i>Pays-Bas</i>	3641	2352	2140	168	57
Norway/ <i>Norvège</i>	603	408	338	29	17
Poland/ <i>Pologne</i>	35225	23796	21320	889	377
Portugal/ <i>Portugal</i>	1908	1197	870	227	151
Romania/ <i>Roumanie</i>	24364	15238	7554	685	192
Russia/ <i>Russie</i>	48791	37247	21773	1233	353
San Marino/ <i>Saint-Marin</i>	23	21	19	10	8
Serbia and Montenegro/ <i>Serbie-Monténégro</i>	2107	1700	805	46	1
Slovak Republic/ <i>Republique Slovaque</i>	3823	2882	1715	300	133
Slovenia/ <i>Slovénie</i>	3242	2830	829	317	201
Spain/ <i>Espagne</i>	5367	3867	3232	486	38
Sweden/ <i>Suède</i>	3590	2463	2201	128	37
Switzerland/ <i>Suisse</i>	2542	1610	1305	59	31
FYRO Macedonia/ <i>ERY Macédoine</i>	1118	888	290	75	20
Turkey/ <i>Turquie</i>	20141	18415	10562	3379	1500
Ukraine/ <i>Ukraine</i>	18860	12822	8709	953	310
United Kingdom/ <i>Royaume-Uni</i>	12072	5887	5242	934	303
Total	298730	196332	130677	16611	7410

Judgments by respondent State (1 November 1998-2006)

Etat	Arrêts (fond)	Arrêts (définitif- après renvoi devant la Grande Chambre)	Arrêts (satisfaction équitable)	Arrêts (règlement amiable)	Arrêts (radiation)	Arrêts (exceptions préliminaires)	Arrêts (interprétation)	Arrêts (révision)
<i>State</i>	<i>Judgments (merits)</i>	<i>Judgments (final- after referral to Grand Chamber)</i>	<i>Judgments (just satisfaction)</i>	<i>Judgments (friendly settlements)</i>	<i>Judgments (striking out)</i>	<i>Judgments (preliminary objections)</i>	<i>Judgments (interpretation)</i>	<i>Judgments (revision)</i>
Albania/ <i>Albanie</i>	4	-	-	-	-	-	-	-
Andorra/ <i>Andorre</i>	1	-	1	1	-	-	-	-
Armenia/ <i>Arménie</i>	-	-	-	-	-	-	-	-
Austria/ <i>Autriche</i>	122	-	1	16	1	-	-	1
Azerbaijan/ <i>Azerbaïdjan</i>	1	-	-	-	2	-	-	-
Belgium/ <i>Belgique</i>	56	-	-	7	4	-	-	-
Bosnia and Herzegovina/ <i>Bosnie-Herzégovine</i>	1	-	-	-	-	-	-	-
Bulgaria/ <i>Bulgarie</i>	112	1	-	3	-	-	-	-
Croatia/ <i>Croatie</i>	76	-	-	25	-	-	-	-
Cyprus/ <i>Chypre</i>	29	2	1	3	-	-	-	-
Czech Republic/ <i>République Tchèque</i>	109	-	1	7	-	-	-	-
Denmark/ <i>Danemark</i>	8	1	-	9	1	-	-	-
Estonia/ <i>Estonie</i>	11	-	-	1	-	-	-	-
Finland/ <i>Finlande</i>	55	1	1	6	1	-	-	-
France/ <i>France</i>	481	3	4	40	9	-	-	3
Georgia/ <i>Georgie</i>	9	-	-	-	1	-	-	-
Germany/ <i>Allemagne</i>	64	3	1	3	4	-	-	1
Greece/ <i>Grèce</i>	266	-	15	17	2	-	-	1
Hungary/ <i>Hongrie</i>	86	-	-	4	2	-	-	-
Iceland/ <i>Islande</i>	4	-	-	2	-	-	-	-
Ireland/ <i>Irlande</i>	11	-	-	1	-	-	-	-
Italy/ <i>Italie</i>	1282	11	7	324	8	-	-	15
Latvia/ <i>Lettonie</i>	16	1	-	1	-	-	-	-

Judgments by respondent State (1 November 1998-2006)

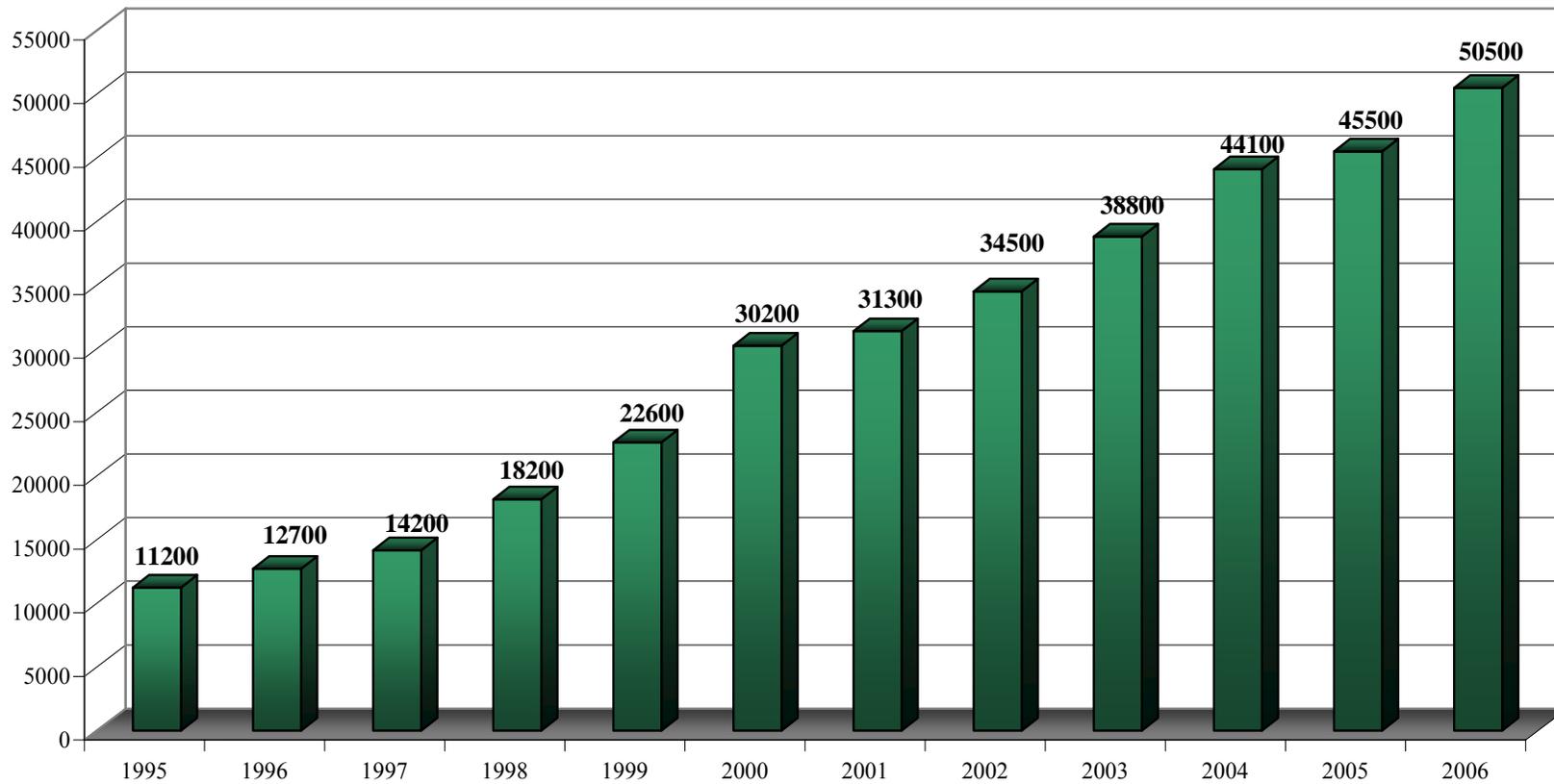
Etat	Arrêts (fond)	Arrêts (définitif-après renvoi devant la Grande Chambre)	Arrêts (satisfaction équitable)	Arrêts (règlement amiable)	Arrêts (radiation)	Arrêts (exceptions préliminaires)	Arrêts (interprétation)	Arrêts (révision)
State	Judgments (merits)	Judgments (final-after referral to Grand Chamber)	Judgments (just satisfaction)	Judgments (friendly settlements)	Judgments (striking out)	Judgments (preliminary objections)	Judgments (interpretation)	Judgments (revision)
Liechtenstein/ <i>Liechtenstein</i>	4	-	-	-	-	-	-	-
Lithuania/ <i>Lituanie</i>	25	-	-	3	2	-	-	-
Luxembourg/ <i>Luxembourg</i>	11	-	-	1	-	-	-	-
Malta/ <i>Malte</i>	15	-	-	-	-	-	-	-
Moldova/ <i>Moldovie</i>	42	-	2	-	1	-	-	-
Monaco/ <i>Monaco</i>	-	-	-	-	-	-	-	-
Netherlands/ <i>Pays-Bas</i>	48	-	1	8	3	-	-	-
Norway/ <i>Norvège</i>	10	-	-	-	-	-	-	-
Poland/ <i>Pologne</i>	335	2	2	32	7	-	-	-
Portugal/ <i>Portugal</i>	75	-	2	53	1	-	-	-
Romania/ <i>Roumanie</i>	158	1	8	13	5	-	-	1
Russia/ <i>Russie</i>	205	-	-	-	-	-	-	-
San Marino/ <i>Saint-Marin</i>	8	-	-	1	1	-	-	-
Serbia and Montenegro/ <i>Serbie-Monténégro</i>	1	-	-	-	-	-	-	-
Slovak Republic/ <i>Republique Slovaque</i>	106	1	1	18	1	-	-	-
Slovenia/ <i>Slovénie</i>	193	-	-	1	1	-	-	-
Spain/ <i>Espagne</i>	30	-	1	1	-	-	-	-
Sweden/ <i>Suède</i>	19	-	-	14	2	-	-	-
Switzerland/ <i>Suisse</i>	32	-	-	2	-	-	-	-
FYRO Macedonia/ <i>ERY Macédoine</i>	13	-	-	1	-	-	-	-
Turkey/ <i>Turquie</i>	1097	7	4	183	15	2	-	2
Ukraine/ <i>Ukraine</i>	260	-	1	1	1	-	-	-
United Kingdom/ <i>Royaume-Uni</i>	164	5	3	30	3	-	-	1
Total	5655	39	57	832	78	2	-	25

Events (1995-2006)

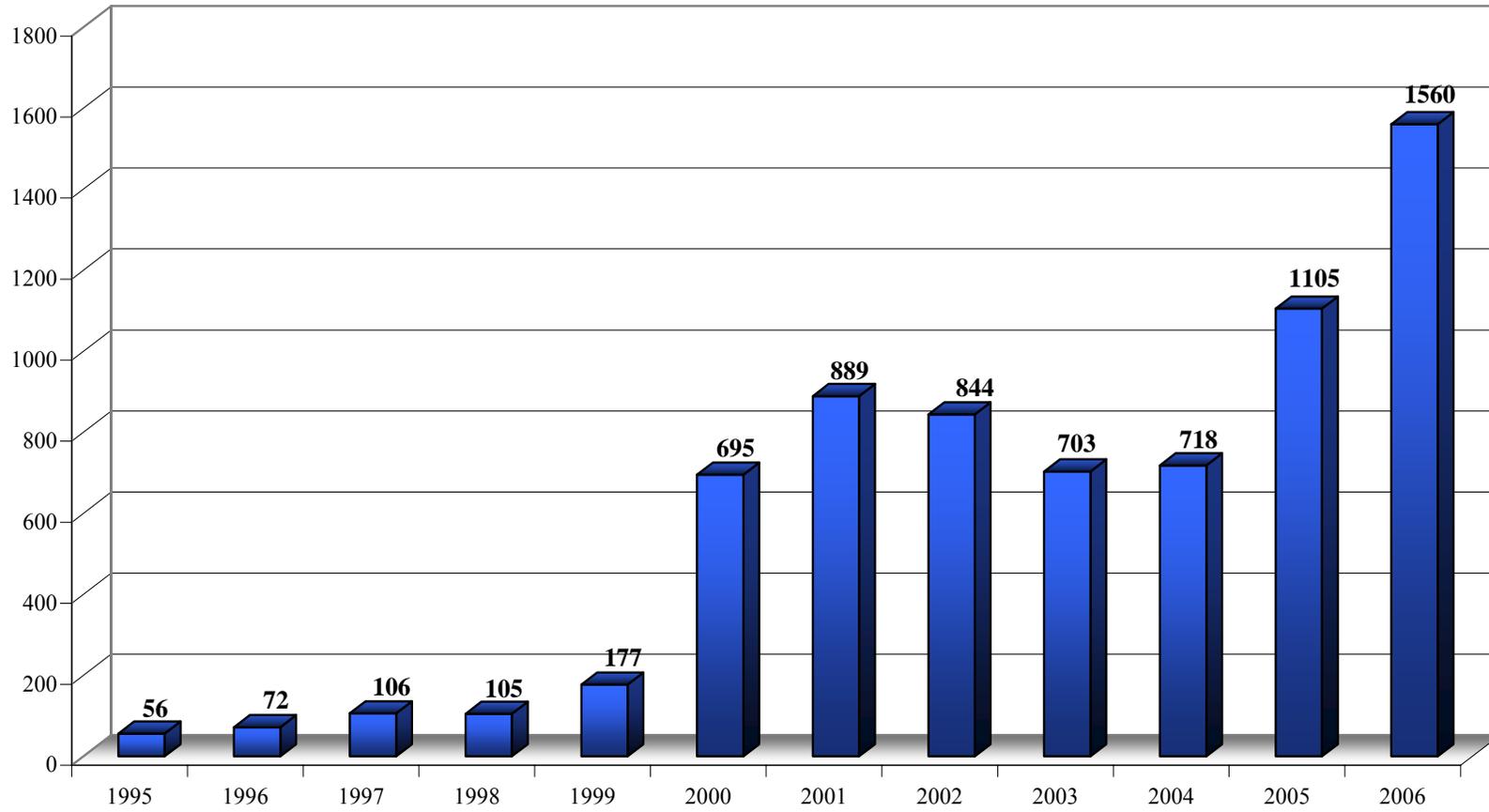
	1955 - 1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	TOTAL
Requêtes introduites <i>Applications lodged</i>	60505	6456	9759	10335	11236	12704	14166	18164	22617	30069	31228	34509	38810	44128	45500	47733 (prov./ prov.)	437919
Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>	19216	1861	2037	2944	3481	4758	4750	5981	8400	10482	13845	28214	27189	32512	35402	39373	240445
Décisions rendues <i>Decisions taken</i>	17124	1704	1765	2372	2990	3400	3777	4420	4251	7862	9728	18450	18034	21181	28648	29796	175502
Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off the list</i>	16077	1515	1547	1789	2182	2776	3073	3658	3520	6776	8989	17868	17272	20350	27612	28160	163164
Requêtes déclarées recevables <i>Applications declared admissible</i>	1038	189	218	582	807	624	703	762	731	1086	739	578	753	830	1036	1634	12310
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>	9	0	1	1	0	0	1	0	0	0	0	5	1	1	0	2	21
Arrêts rendus par la Cour <i>Judgments delivered by the Court</i>	307	81	60	50	56	72	106	105	177	695	889	844	703	718	1105	1560	7528

Applications lodged 1995-2006

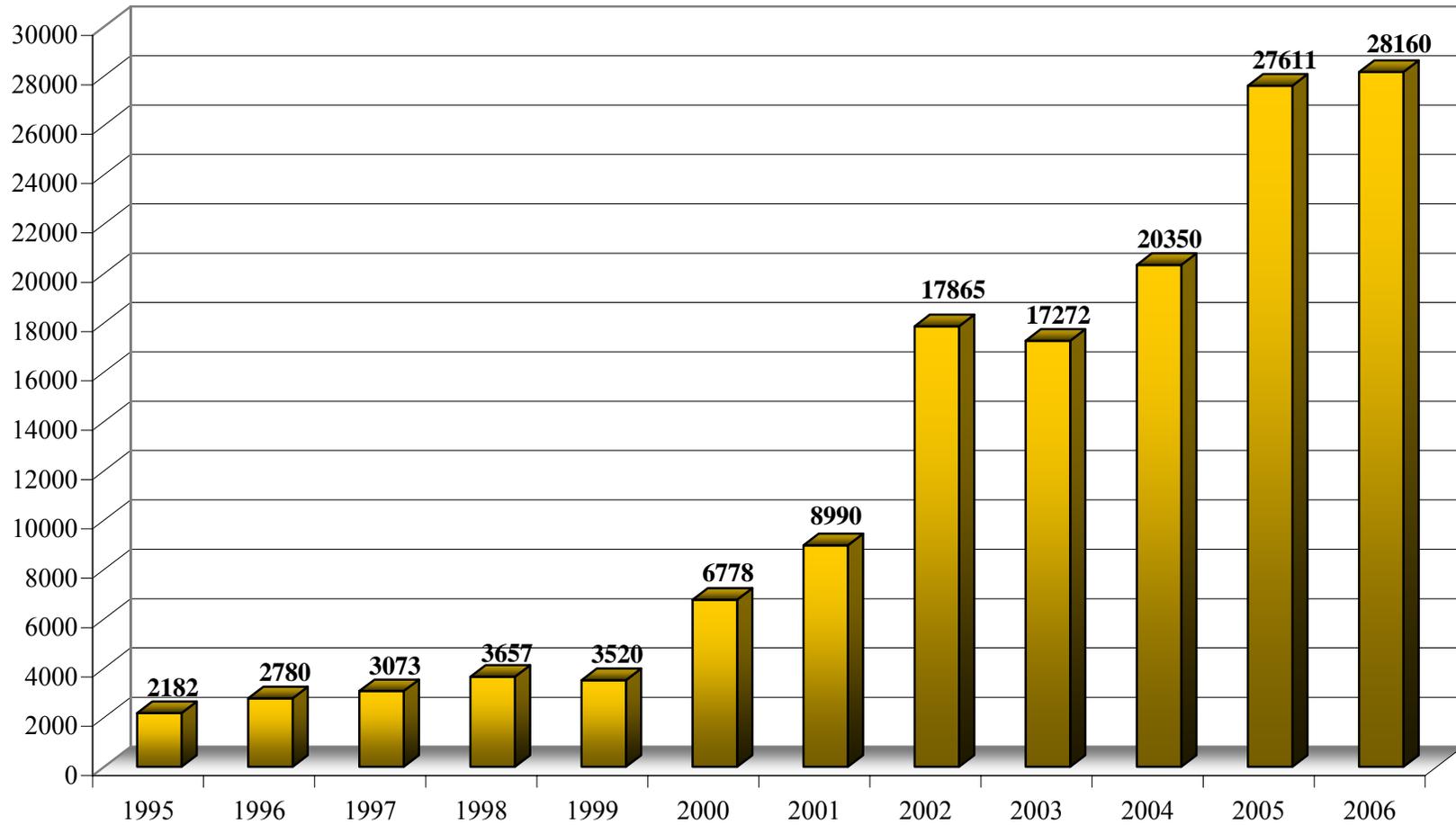
Estimation for 2006
Prévision pour 2006



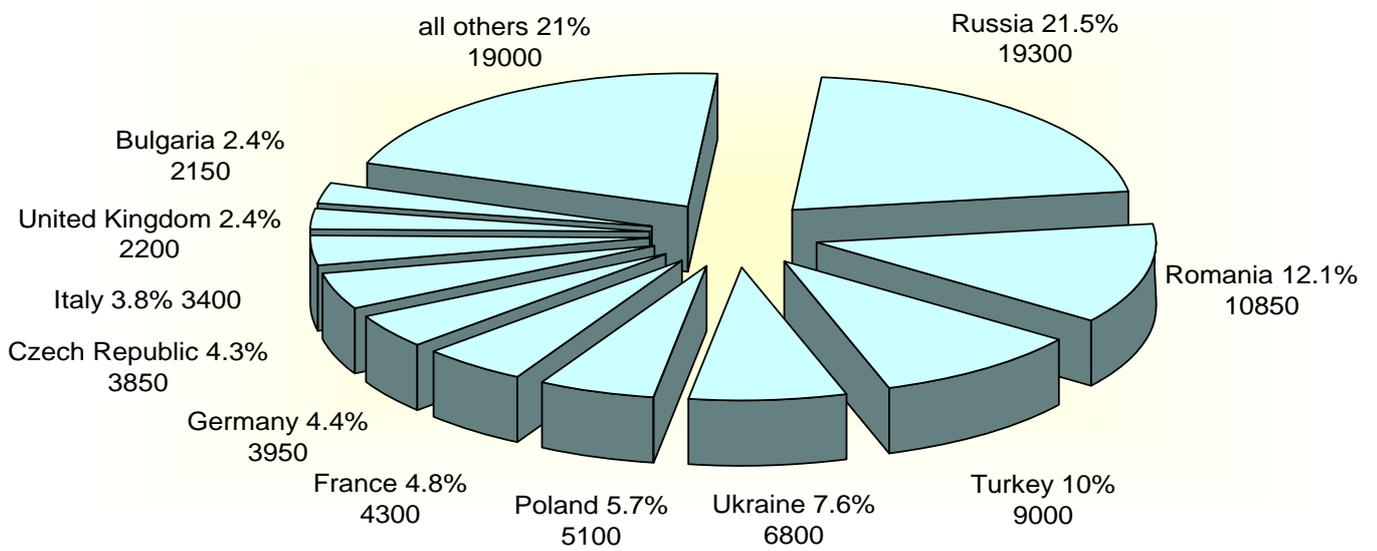
Judgments 1995-2006



Applications declared inadmissible or struck off 1995-2006

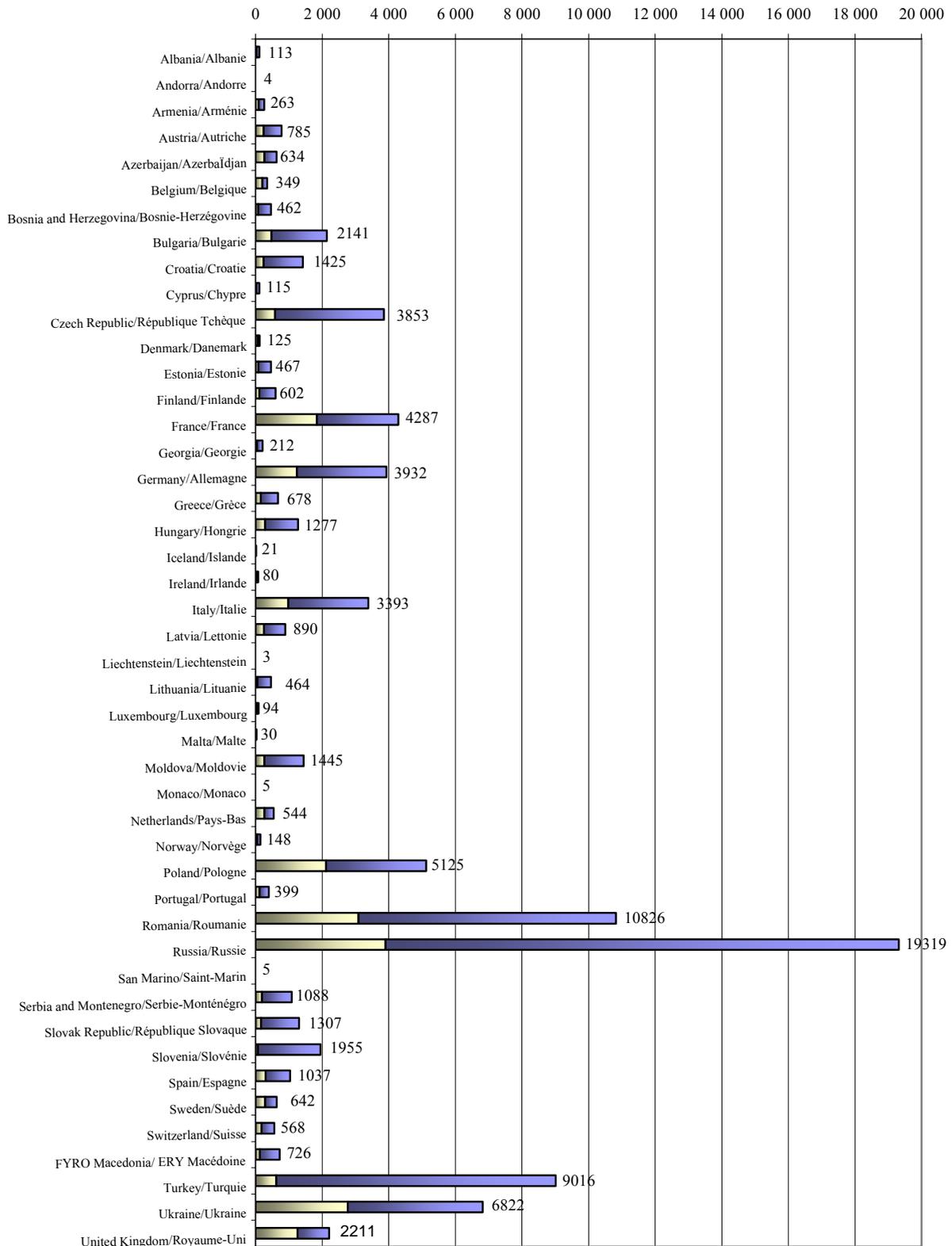


Cases pending on 1 January 2007 (main States)



Total number of pending cases: 89,900 (rounded up to the nearest 50)

Cases pending on 1 January 2007 (respondent State)



Total 89887 of pending applications

Applications - Requêtes
 Applications allocated to a decision body - Requêtes attribuées à un organe décisionnel