

In the case of *Boddaert v. Belgium**,

The European Court of Human Rights, sitting, in accordance with Article 43 (art. 43) of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention")** and the relevant provisions of the Rules of Court, as a Chamber composed of the following judges:

Mr R. Bernhardt, President,
Mr F. Matscher,
Mr J. De Meyer,
Mr N. Valticos,
Mr S.K. Martens,
Mr I. Foighel,
Mr R. Pekkanen,
Mr A.N. Loizou,
Mr A.B. Baka,

and also of Mr M.-A. Eissen, Registrar, and Mr H. Petzold, Deputy Registrar,

Having deliberated in private on 24 April and 22 September 1992,

Delivers the following judgment, which was adopted on the last-mentioned date:

Notes by the Registrar

* The case is numbered 65/1991/317/389. The first number is the case's position on the list of cases referred to the Court in the relevant year (second number). The last two numbers indicate the case's position on the list of cases referred to the Court since its creation and on the list of the corresponding originating applications to the Commission.

** As amended by Article 11 of Protocol No. 8 (P8-11), which came into force on 1 January 1990.

PROCEDURE

1. The case was referred to the Court by the European Commission of Human Rights ("the Commission") on 10 June 1991, within the three-month period laid down by Article 32 para. 1 and Article 47 (art. 32-1, art. 47) of the Convention. It originated in an application (no. 12919/87) against the Kingdom of Belgium lodged with the Commission under Article 25 (art. 25) by a Belgian national, Mr Jean-Claude Boddaert, on 13 February 1986.

The Commission's request referred to Articles 44 and 48 (art. 44, art. 48) and to the declaration whereby Belgium recognised the compulsory jurisdiction of the Court (Article 46) (art. 46). The object of the request was to obtain a decision as to whether the facts of the case disclosed a breach by the respondent State of its obligations under Article 6 para. 1 (art. 6-1).

2. In response to the enquiry made in accordance with Rule 33 para. 3 (d) of the Rules of Court, the applicant stated that he wished to take part in the proceedings and designated the lawyer who would represent him (Rule 30).

3. The Chamber to be constituted included *ex officio* Mr J. De Meyer, the elected judge of Belgian nationality (Article 43 of the Convention) (art. 43), and Mr R. Ryssdal, the President of

the Court (Rule 21 para. 3 (b)).

On 28 June 1991, in the presence of the Registrar, the President drew by lot the names of the other seven members, namely Mr J. Cremona, Mrs D. Bindschedler-Robert, Mr N. Valticos, Mr S.K. Martens, Mr I. Foighel, Mr R. Pekkanen and Mr A.N. Loizou (Article 43 in fine of the Convention and Rule 21 para. 4) (art. 43).

Subsequently, Mr F. Matscher and Mr A.B. Baka, substitute judges, replaced Mr Cremona, whose term of office had expired, and Mrs Bindschedler-Robert, who had resigned, and both of whose successors had taken up their duties before the hearing (Rules 2 para. 3 and 22 para. 1).

4. Mr Ryssdal assumed the office of President of the Chamber (Rule 21 para. 5) and, through the Registrar, consulted the Agent of the Belgian Government ("the Government"), the Delegate of the Commission and the applicant's lawyer on the need for a written procedure (Rule 37 para. 1). In accordance with the order made in consequence, the Registrar received the applicant's memorial on 4 November 1991 and the Government's memorial on 7 November. On 29 November the Secretary to the Commission informed the Registrar that the Delegate would submit his observations at the hearing.

5. Having consulted, through the Registrar, those who would be appearing before the Court, the President directed on 26 November 1991 that the oral proceedings should open on 22 April 1992 (Rule 38).

6. The hearing took place in public in the Human Rights Building, Strasbourg, on the appointed day. The Court had held a preparatory meeting beforehand.

There appeared before the Court:

(a) for the Government

Mr J. Lathouwers, Legal Officer,
Ministry of Justice, Deputy Agent,

Mr P. Lemmens, avocat, Counsel;

(b) for the Commission

Mr C.L. Rozakis, Delegate;

(c) for the applicant

Mr P. Van Damme, avocat, Counsel.

The Court heard addresses by Mr Lemmens for the Government, Mr Rozakis for the Commission and Mr Van Damme for the applicant, as well as replies to its questions.

7. As Mr Ryssdal was unable to attend the final deliberations on 22 September 1992, he was replaced by Mr R. Bernhardt, substitute judge (Rule 21 para. 5).

AS TO THE FACTS

A. The preliminary inquiry and the investigation

8. Mr Jean-Claude Boddaert was born at Ougrée (Belgium). At the time of the most recent information supplied to the Court, he was in detention in Lantin Prison.

9. On 1 July 1980 a murder was committed outside the bar "Le Troquet", which he ran. The resulting trial in the Liège Assize Court, at which he testified as a witness, ended on 18 March 1982 with the conviction of a certain Demain.

10. On 18 July 1980 the gendarmerie discovered in one of the cellars of the building rented by the applicant the body of one Jehin, whose death had occurred on 17 July. Suspicion fell immediately on Mr Boddaert and on Mr Piron, who was arrested on 19 July. On the same day a warrant was issued for the arrest of the applicant, who had fled to Spain the day before, for fear of being accused of Jehin's murder.

However, on 22 July Mr Boddaert contacted the Belgian police in order to give his version of events and to "negotiate" his return. He was handed over to the Belgian authorities on 30 July. The investigation had been opened on 18 July 1980.

11. From July to December 1980 the investigating judge and the investigators effected a large number of procedural steps, interviewed numerous witnesses and questioned on several occasions Mr Boddaert and Mr Piron, who each accused the other of Jehin's murder. The crime was said to have been perpetrated in the course of an argument concerning debts owed by Jehin to the applicant which had taken place at the latter's bar in the absence of any witnesses.

12. The report of the autopsy and that of the ballistics expert were filed on 25 November and 15 December 1980; the psychiatric reports on the applicant and his co-accused, Mr Piron, were submitted on 23 and 28 September 1981.

On 10 March 1981 the investigating judge had requested the Liège gendarmerie to transmit to him the results of inquiries into the character of Boddaert and Piron, because he "[was] carrying out the last interviews and the file could shortly be completed".

In a report of 19 January 1982 the ballistics expert and the pathologist concluded that the applicant's description of events corresponded more closely to the medical findings than that of his co-accused.

13. On 2 February 1982 the Liège indictment division (chambre des mises en accusation) ordered Mr Boddaert's release and on 2 March that of Mr Piron.

14. On 11 May 1982 the investigating judge asked the special investigation branch ("BSR") of the Seraing gendarmerie to reopen the file, working together with their Liège colleagues, and in particular "to examine whether Jehin's murder [was] not connected with the receiving of stolen goods and thefts which [might] have been organised from the applicant's bar, 'Le Troquet'". This was apparently the only investigative measure carried out between 2 February 1982 and 28 June 1983. The B.S.R. communicated the information requested in a report of 2 June 1982.

15. In August, October and November 1982 several complaints were laid against Mr Piron for assault, wounding and threatening behaviour. In April 1983 he was questioned in connection with death threats that he had allegedly made against Mr Bustin, the last witness to have seen Jehin alive and whom he accused of denouncing him for that murder. He was also interviewed in respect of damage that he was said to have caused to eight boats, one of which belonged to Mr Bustin. Proceedings were instituted in the Liège Criminal Court, but were adjourned by that court sine die on account of fresh charges brought against Mr Piron.

On 1 June 1983 Piron was again remanded in custody and

charged with having, on the night of 30 to 31 May 1983, murdered a certain Thérèse Hemeleers, who had been found dead in his flat.

From that date Mr Piron was the subject of two investigations conducted jointly; one concerned Jehin's murder, the other the offences committed in 1982 and 1983.

16. On 28 June 1983 the crown prosecutor instructed the investigating judge to make further inquiries in the Jehin case. The latter submitted reports on these inquiries on 14, 20 and 24 February and 12 (two reports), 15 and 19 March 1984.

The investigating judge requested and, on 26 December 1983, received from a neuropsychiatrist a number of clarifications on the report which he had drawn up on Piron's responsibility.

17. The investigation marked time from 19 March 1984 to 10 May 1985, when the crown prosecutor expressed the opinion that Mr Boddaert and Mr Piron should be committed for trial in the assize court.

18. In the meantime, on 9 November 1984, the crown prosecutor had asked the investigating judge responsible for the Hemeleers case to make a number of additional inquiries, which took until January 1985.

On 12 November 1984 the investigating judge in question sent to his colleague dealing with the applicant's case a note worded as follows:

"While finalising the file with a view to communicating it, I found in it a photocopy of a document (memorial) in the case [of the applicant and his co-accused] the original of which has long since been passed to the accused ...

I considered it necessary to seize the documents because I thought they might provide indications particularly of a psychological nature for the investigation of the case in question [Hemeleers]; on re-reading it I am of the opinion that this memorial is not indispensable to shed light on my case."

19. A hearing was to have been held before the chambre du conseil on 24 May 1985, but it was postponed at the defence's request until 14 and then 21 June 1985.

20. On 24 June the chambre du conseil of the Liège First-Instance Court decided to communicate the file to the principal public prosecutor at the Liège Court of Appeal "so that the case [might] be referred by him to the indictment division". It ordered in addition that the applicant and his co-accused be arrested and detained in a remand centre to be designated by the assize court; this order was put into effect the day before the assize court's session (see paragraph 25 below). The chambre du conseil had first dismissed a submission from Mr Boddaert based on the failure to comply with the reasonable time requirement laid down in Article 6 para. 1 (art. 6-1) of the Convention. It held as follows:

"... although there has been detailed and extensive evidence against the two accused since the investigation began, the case is rendered particularly complex by the fact that the accused give very different versions of the facts and accuse each other, all of which has created a need for investigative measures to elicit the truth, measures which were taken in 1983 and 1984;

... as soon as the main part of the file had been

completed, the accused were released, and this has given them an opportunity, unusual in view of the seriousness of the charges against them, to rehabilitate themselves and present themselves in a favourable light before the trial court which will, if necessary, be called upon to punish them;

... the accused are therefore not justified in complaining of the lapse of time since the events in issue because in the circumstances of the case this delay may in fact improve their situation;

... for the rest it will be for the trial court to decide whether the witnesses' memories are sufficiently accurate and clear for it to find that the charges have been proved and pass sentence accordingly;"

On 25 June 1985 the two accused filed objections to this order.

21. On 2 July 1985 the principal public prosecutor lodged submissions with the Liège indictment division calling for the accused's committal for trial. The submissions concluded as follows:

"... it was necessary, in view of the blatant contradictions between the two 'versions' and the dubious character of the persons concerned, to exercise the greatest vigilance before closing the file on this case;

... for example, Piron's behaviour following his release gave legitimate cause for concern and for fearing further revelations in this case, which was still undoubtedly very obscure;

... it has been alleged that there were times when the investigation and the work of the prosecuting authorities which should have ensued came to a total halt ..., no mention being made of the case's infinite complexity, which was due both to the nature of the case itself and to the character of the accused;

... Boddaert ... had been involved in a murder ... in front of his premises committed by Pierre Demain, a few days before the offence of which he is accused, on 1 July 1980;

... the two persons concerned had just left his premises and he himself did everything possible to confuse the issue and mislead the police and judicial authorities as regards the incident itself and its origins; the motive for this murder, on which Boddaert's subsequent attitude was equivocal, still remains a mystery;

... this case reached its conclusion, Pierre Demain being in detention, in the Liège Assize Court on 18 March 1982;

... having been released on 2 March 1982, Piron was soon in further trouble ...

... in August, October and November 1982, he was involved in incidents of violent and threatening behaviour, cases which have been joined to the case concerning the murder" - that of Thérèse Hemeleers - "committed on the night of 30-31 May 1983, for which he was sent for trial before the assize court on 5 June 1985;

... in April 1983, the police wanted him for questioning in connection with threats made by him to Bustin, the owner of the 'Lion d'Or', rue Grétry, the very person whom he accused of denouncing him in the 'Troquet case';

... on the night of 5 to 6 April 1983, he engaged in threatening behaviour towards a fellow tenant of the building which he occupied, breaking the windows of his flat with an air pistol;

... this conduct on the part of Piron and especially his attitude in April 1983 towards Bustin, the owner of the 'Lion d'Or', one of the last witnesses to have seen Jehin alive, made it plain that the investigations of which he was the subject should not be concluded immediately, since there were still "areas of uncertainty" in the case, particularly as he, like Boddaert, was no longer in detention on remand;

... finally, on the night of 30 to 31 May 1983, a casual female acquaintance, Thérèse Hemeleers, was killed in Piron's flat; ... having been arrested, he has recently been committed for trial before the assize court on a charge of murder;

... it seemed clear that developments in the 'second' case might affect the 'first', and that the investigating judges were of necessity bound to compare among other things the psychiatric reports;

... the investigating judge, Mr Regibeau, having seized certain documents in connection with the 'second case', in fact relinquished it on 12 November last, as being relevant to the 'first case', the investigation of which was being conducted by the investigating judge Colemonts; this document was included in the file on the first case ...;

... furthermore, in the interests of the proper administration of justice and pursuant to Article 62 of the Criminal Code, which states that the heaviest penalty shall be imposed when several crimes have been committed, it is important that these two cases should be taken at the same assize court session;

..."

B. Committal for trial in the assize court

22. The hearing before the indictment division of the Liège Court of Appeal which had been set down for 18 July 1985 was postponed, at the defence's request, until 22 August. As it had been indicated that the pleadings would be lengthy, the hearing was adjourned and resumed on 3 September 1985.

23. On 6 September 1985 the indictment division committed the applicant and Mr Piron for trial in the assize court. It declared the objections filed on 25 June (see paragraph 20 above) inadmissible and ruled, in respect of the allegation that a reasonable time had been exceeded, that it was not for the judicial investigating authority to determine whether that requirement "has been or could be complied with".

Relying on Article 6 para. 1 (art. 6-1) of the Convention, the applicant filed an appeal on points of law, which the Court of Cassation dismissed on 13 November 1985 on the ground that Article 6 para. 1 (art. 6-1) of the Convention applied to the trial courts and not to the judicial organs responsible for the investigation.

C. The trial in the assize court

24. The indictment in the Jehin case, drawn up by the principal public prosecutor at the Liège Court of Appeal on 1 February 1986, was served on Mr Boddaert on 7 February.

25. On 11 February the President of the assize court ordered the joinder of the Jehin and Hemeleers cases and decided that the proceedings relating to the two murders should be "dealt with at the same hearing and be the subject of a single judgment".

On 3 March 1986, the first day of the trial, the applicant - who had been in custody since the previous day by virtue of the detention order of 24 June 1985 (see paragraph 20 above) - requested the assize court, first, to stay the proceedings until the European Commission of Human Rights had expressed its opinion on his application and, secondly, to revoke the order of 11 February 1986 as it was prejudicial to the rights of the defence and was liable to prolong the trial and the detention.

26. Sitting without a jury on 4 March 1986, the assize court dismissed Mr Boddaert's submissions on the following grounds:

"... the question whether the time taken to bring a case to trial is 'reasonable' must be determined in the light of the circumstances of each case ...;

... this assessment is only possible once the whole case has been argued and examined, the witnesses and the experts have been heard and all the inquiries necessary to establish the truth carried out;

... the court whose responsibility it is to make this assessment is the same as that which has to determine the merits of the accusation; ... under Belgian law in this instance it is the jury, sitting in private in the absence of the court; ... in order to make a finding as to the accused's guilt the jury will assess the weight of statements and testimony, their consistency, their accuracy and the extent to which they can still be relied upon in view of the time which has elapsed since the date of the event in issue; ... in any case the accused must always be accorded the benefit of the doubt;"

As regards the joinder of the cases, the assize court noted as follows:

"... the close connection referred to in Articles 226 and 227 of the Code of Criminal Procedure is established where there is, between two or more offences, a link the nature of which is such that, in the interests of the proper administration of justice, they must be tried together and by the same court;

... Piron is charged inter alia with two offences coming within the statutory category of serious crime, committed within the space of less than three years;

... the charges against Piron are interdependent and related (nature of the offences, same accused, defence adopted by him) and this justifies upholding the joinder ordered;"

27. On 14 March 1986 the applicant asked the assize court to put to the jury a question concerning compliance with the reasonable time requirement; this request was rejected by a decision of the

same day on the ground that the question was included in that concerning the accused's guilt.

On the same day the assize court found Mr Boddaert and Mr Piron guilty, the former of the murder of Jehin, as perpetrator or joint perpetrator, the latter of the murder of Jehin, as perpetrator or joint perpetrator, and of the murder of Thérèse Hemeleers, as perpetrator. It sentenced them respectively to ten years' imprisonment and to death.

D. The cassation proceedings

28. Mr Boddaert and Mr Piron appealed to the Court of Cassation against the judgments of 4 and 14 March 1986 (see paragraphs 26-27 above). The applicant stressed, in the first place, that "no Belgian court [had] agreed, or [had] been placed in a position of being able, to assess whether or not a reasonable time had been exceeded" although six years had elapsed between the date of the offences and the verdict. He further alleged that the reasoning of the two judgments, delivered within ten days of each other, was "wholly contradictory".

29. The Court of Cassation dismissed the appeal on 22 October 1986.

On the submission based on the alleged failure to comply with the "reasonable time" requirement, it noted:

"...

I. The appeal by Nicolas Piron

It is for the trial courts to determine, in the light of the circumstances of each case, whether the case is heard within a reasonable time and, if not, to decide what consequences should ensue;

Neither Article 6 para. 1 (art. 6-1) of the Convention for the Protection of Human Rights and Fundamental Freedoms nor any other provision either of the Convention or of national law specifies what consequences a trial court should attach to a finding by it that a reasonable time has been exceeded; the Convention does not provide that in the event of a reasonable time being exceeded the sanction is to be the inadmissibility of the prosecution case, such inadmissibility being based on an express finding of the excessive length of the proceedings;

Such consequences must be considered with reference to the evidence, on the one hand, and to the sanction, on the other; the excessive length of proceedings may indeed result in the loss of evidence to the extent that the court can no longer decide that the offences have been proved; the exceeding of a reasonable time may also entail detrimental consequences for the defendant or the accused;

... it is for the jury alone to assess whether the evidence adduced before it is sufficient to allow it to form a conviction as to the defendant's guilt ...; then, if the jury's replies to the questions concerning the defendant's guilt are in the affirmative and the defendant contends that the failure to comply with the reasonable time requirement has entailed for him damage of a personal or a pecuniary nature, it is for the court together with the jury to determine what consequences if any, as regards assessment of sentence, should ensue from such failure, if failure there has been;

In this instance in his submissions filed in the course of the investigation of the case, before the President put the questions deriving from the indictment or the hearing, the appellant maintained that a reasonable time had been exceeded, but concluded therefrom solely that there was a risk of the loss of evidence;

By answering these submissions with the considerations set out in the grounds of the appeal, the judgment establishes the legal basis for its decision;

The appellant's submission cannot succeed;

...

II. The appeal by Jean-Claude Boddaert

...

It follows from the reply given in respect of Nicolas Piron's appeal in so far as it was directed against the interlocutory judgment of 4 March 1986 that the submission must fail;

..."

The Court of Cassation added that by sentencing Mr Boddaert to ten years' imprisonment the assize court had decided "implicitly but clearly, that [his] allegations concerning the excessive length of the proceedings were unfounded, either inasmuch as a reasonable time had not been exceeded or, if it had been, because it was not necessary to take this into consideration in assessing sentence".

PROCEEDINGS BEFORE THE COMMISSION

30. In his application to the Commission of 13 February 1986 (no. 12919/87), Mr Boddaert alleged primarily that the criminal proceedings brought against him had exceeded a reasonable time within the meaning of Article 6 para. 1 (art. 6-1) of the Convention. He also complained that he had not had adequate time and facilities for the preparation of his defence for the purposes of Article 6 para. 3 (b) (art. 6-3-b).

31. On 2 July 1990 the Commission declared the complaint based on Article 6 para. 3 (b) (art. 6-3-b) inadmissible; on the other hand, it found that relating to Article 6 para. 1 (art. 6-1) to be admissible.

In its report of 17 April 1991 (made under Article 31) (art. 31), it expressed the opinion, by nine votes to two, that there had been a violation of Article 6 para. 1 (art. 6-1). The full text of its opinion and the dissenting opinion contained in the report is reproduced as an annex to this judgment*.

* Note by the Registrar: For practical reasons this annex will appear only with the printed version of the judgment (volume 235-D of Series A of the Publications of the Court), but a copy of the Commission's report is obtainable from the registry.

GOVERNMENT'S FINAL SUBMISSIONS TO THE COURT

32. At the hearing the Government confirmed the submissions set out in their memorial, in which they asked the Court to hold "that there has been no violation of Article 6 para. 1 (art. 6-1) of the

Convention".

AS TO THE LAW

ALLEGED VIOLATION OF ARTICLE 6 PARA. 1 (art. 6-1)

33. Mr Boddaert relied on Article 6 para. 1 (art. 6-1) of the Convention, according to which:

"In the determination ... of any criminal charge against him, everyone is entitled to a ... hearing within a reasonable time by [a] ... tribunal ..."

He did not criticise the overall length of the criminal proceedings brought against him; he acknowledged that the investigation organs - chambre du conseil of the Liège First-Instance Court and indictment division of the Liège Court of Appeal - and the trial court - the assize court - had acted with normal diligence. On the other hand, he complained of a period of thirty-nine months - from 2 February 1982 to 10 May 1985 - during which the investigation conducted by the investigating judge was dormant and indeed was twice entirely suspended (2 June 1982 - 28 June 1983 and 12 March 1984 - 10 May 1985).

34. The Commission agreed with this view in substance, but, in the Government's opinion, although the proceedings were relatively lengthy, they could not be considered excessively so, having regard to the particular circumstances of the case.

A. Period to be taken into consideration

35. The period to be taken into consideration began on 19 July 1980, the date on which the warrant was issued for the applicant's arrest (see paragraph 10 above). Following a brief interruption owing to Mr Boddaert's flight to Spain (see paragraph 10 above), it ended on 22 October 1986, when the Court of Cassation delivered its judgment (see paragraph 29 above). It thus lasted six years, two months and twenty-two days.

B. Reasonableness of the length of the proceedings

36. The reasonableness of the length of proceedings is to be determined with reference to the criteria laid down in the Court's case-law and in the light of the circumstances of the case, which in this instance call for an overall assessment.

37. The Court notes at the outset that the present case originated in a murder following shortly after another murder committed in the same place (see paragraphs 9-10 above). A number of persons coming from the same circle were implicated; they included the applicant.

The inquiry was a difficult one. Initially this was because of the lack of witnesses and because Mr Boddaert and Mr Piron accused each other of having committed the crime of which they were both suspected. Although on 19 January 1982 the joint report of the pathologist and the ballistics expert provided information capable of helping to identify the person who had struck the fatal blow (see paragraph 12 above), "areas of uncertainty" remained. The investigation, which was pursued without interruption until 2 February 1982 (see paragraph 13 above), failed to shed light on the motives for the murder and to establish the personalities of the accused. It did however reveal the existence of possible links with other offences (see paragraph 14 above).

38. In addition to this the conduct of Mr Piron, who had been released on 2 March 1982 (see paragraph 13 above), has to be taken

into account. In August 1982 and April 1983 the latter committed a number of offences - at least one of them connected with the Jehin case - in respect of which proceedings were instituted in the Liège Criminal Court (see paragraph 15 above). At this point the investigating judge chose to shelve the investigation in case there were any further developments; there were not, but on 1 June 1983 Mr Piron was accused of the murder of Thérèse Hemeleers (see paragraph 15 above). The authorities considered that that murder and the crime of 17 July 1980 were closely linked; availing themselves of their discretionary power, they decided to await the outcome of the investigation of the "second case" in order to complete the file of the first and to hold a joint trial on all the charges brought against Mr Piron.

In proceeding in this manner they undoubtedly took the risk of postponing even further Mr Boddaert's committal for trial. However, the latter had been released on 2 February 1982 (see paragraph 13 above). Moreover the gravity of the offences in question and the interdependence of the charges, noted by the assize court in its judgment of 4 March 1986 (see paragraph 26 above), could reasonably appear to make it necessary for such a "parallel progression" of the two cases, which were joined on 11 February 1986 (see paragraph 25 above).

39. Article 6 (art. 6) commands that judicial proceedings be expeditious, but it also lays down the more general principle of the proper administration of justice. In the circumstances of the case, the conduct of the authorities was consistent with the fair balance which has to be struck between the various aspects of this fundamental requirement.

40. In conclusion, the Court finds no violation of Article 6 para. 1 (art. 6-1).

FOR THESE REASONS, THE COURT UNANIMOUSLY

Holds that there has been no violation of Article 6 para. 1 (art. 6-1).

Done in English and in French, and delivered at a public hearing in the Human Rights Building, Strasbourg, on 12 October 1992.

Signed: For the President
Jan DE MEYER
Judge

Signed: Marc-André EISSEN
Registrar