



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

FIRST SECTION

Application no. 23045/05
Mariya Gennadyevna MALMBERG against Russia
and 7 other applications
(see list appended)

STATEMENT OF FACTS

THE FACTS

The applicants are Russian nationals.

The facts of the cases, as submitted by the applicants, may be summarised as follows.

The applicants were parties to civil proceedings. Only operative parts of judgments in their cases (see table appended) were read out by courts. The reasoned judgments were prepared after the hearings.

COMPLAINTS

1. The applicants complain that the judgments in their civil cases were not pronounced publicly as required by Article 6 § 1 of the Convention.
2. They also lodge other complaints under the Convention.

QUESTIONS TO THE PARTIES

1. Were the judgments in the present cases (see table appended) of the first-instance and the appeal courts pronounced publicly, as required by Article 6 § 1 of the Convention? In particular, was the reading out of the judgments of the first-instance and the appeal courts at the hearings limited to the operative part (*резоллютивная часть*), and, if so, were the reasoned judgments, which were prepared after the hearings, made public by any other means (see *Ryakib Biryukov v. Russia*, no. 14810/02, ECHR 2008)?

2. When were the reasoned judgments of the first-instance and the appeal courts in their final forms (*мотивированные решения суда, решения суда в окончательной форме*) prepared?

The Government are requested to submit the court records of the hearings (*протоколы судебных заседаний*) before the first-instance and the appeal courts, and the operative parts (*резоллютивная часть*) of the judgments, unless they were submitted by the applicants. The Government are also requested to submit statements of the applicants' appeals against the first-instance courts' judgments in applications nos. 23045/05, 39543/08, 48789/09 and 31011/10.

APPENDIX

No	Application no.	Lodged on	Applicant's name date of birth place of residence	Judgments which were not allegedly pronounced publicly
1.	23045/05	03/05/2005	Mariya Gennadyevna MALMBERG 06/10/1957 St Petersburg	St Petersburg City Court's judgment of 21 December 2004 (the City Court partially quashed Vasileostrovskiy District Court's judgment of 17 March 2004 and took a new decision on the merits). Contractual dispute between private individuals.
2.	39543/08	17/06/2008	Yevgeniya Yekimovna SHUBINA 01/01/1960 Belgorod	Belgorodskiy District Court's judgment of 11 March 2008 and Belgorod Regional Court's judgment of 22 April 2008 (the appeal court took a new decision on the merits). Consumer dispute.
3.	21236/09	02/04/2009	Mikhaydar Ayseyevich TAZIKOV 23/05/1957 Ulyanovsk	Ulyanovsk Leninskiy District Court's judgment of 13 October 2008 and Ulyanovsk Regional Court's judgment of 25 November 2008 (the District Court's judgment was upheld on appeal). Dispute between private individuals concerning debt recovery.
4.	48789/09	21/08/2009	Sergey Nikolayevich VOROBYEV 10/11/1965 Saransk	Saransk Oktyabrskiy District Court's judgment of 26 December 2008 and Mordoviya Republic Supreme Court's judgment of 10 March 2009. Insurance dispute concerning a traffic accident.
5.	58611/09	17/10/2009	Svetlana Yuryevna SAUTCHENKOVA 27/12/1972 Krasnodar	Krasnodar Pervomayskiy District Court's judgment of 18 August 2009 (upheld by Krasnodar Regional Court's judgment of 29 September 2009). Dispute with a private bank concerning validity of a collateral agreement.
6.	17759/10	17/02/2010	Olga Ivanovna SHEVCHENOK 19/02/1958 Tyumen	Tavdinskiy District Court's judgment of 26 June 2009 (upheld by Sverdlovsk Regional Court's judgment of 18 August 2009). Land dispute with a local authority.
7.	31011/10	31/03/2010	Svetlana Yuryevna SAUTCHENKOVA 27/12/1972 Krasnodar	Krasnodar Prikubanskiy District Court's judgment of 18 December 2009 (upheld by Krasnodar Regional Court's judgment of 25 February 2010). Dispute with a private bank concerning the applicant's liability as a guarantor under a bank loan agreement.
8.	48402/10	27/07/2010	Marina Fedorovna SURKOVA 06/06/1946 Moscow	Basmanniy District Court's judgment of 30 October 2009 and Moscow City Court's judgment of 28 January 2010 (the District Court's judgment was upheld on appeal). Labour dispute concerning Federal Service of State Statistics' refusal of employment.