

## [TRANSLATION-EXTRACTS]

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### THE FACTS

The applicants are French nationals. Mr Gérard Duringer, a horse trainer and breeder, was born in 1954 and lives in Saverne. Mrs Corine Barbe, owner, breeder and trainer of racehorses, was born in 1958 and lives in Chantilly. Mr Philippe Houdart, owner and breeder of trotting horses, was born in 1930 and lives in Lisieux. Mr Claude Karsenti, the president of the Association of Racehorse Trainers (*Association des entraîneurs de chevaux de course* – “the AECC”), was born in 1947 and lives in Antony. Mr Gérard Duringer was designated as the applicants' sole representative before the Court.

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

#### **A. Application no. 61164/00**

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##### *2. The part of the application specific to Mr Duringer*

Mr Duringer also submitted, on his own account, allegations concerning a “State money-laundering system”, “mafia-type activities” and various abuses of authority.

#### **B. Application no. 18589/02**

The applicant who claims to be called “Forest Grunge”, criticised the French tote betting system, which he alleged to be a “State money-laundering system”, and complained of “mafia-type activities” and various abuses of authority. He stated that he was intervening on behalf of the Humanism Democracy Justice network (*réseau Humanisme Démocratie Justice*), some of whose correspondence is co-signed by its secretary, Mr Duringer.

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## THE LAW

### **A. The applications of Mr Gérard Duringer and Mr Forest Grunge**

The Court considers in the first place that the two applications should be joined.

It notes that Mr Duringer has sent numerous communications, by letter and electronic mail, making serious accusations touching the integrity of certain judges of the Court and members of its Registry. The applicant, who has systematically tried to cast aspersions on judges of the Court, members of its Registry and politicians of the respondent State, accuses in particular certain judges of extremely serious crimes.

Moreover, in seeking to ensure the widest possible circulation of his accusations and insults the applicant has evidenced his determination to harm and tarnish the image of the institution and its members.

The Court notes in addition that the application lodged by a person who claims to be called Forest Grunge contains the same expressions as Mr Duringer used. It notes furthermore that in most passages the texts of these communications are similar, if not identical, like their presentation and the long lists of their addressees. Another instance of this similarity is the fact that the various communications are co-signed by Mr Duringer, the secretary of the Humanism Democracy Justice network, which Mr Forest Grunge claims to be a member of.

Even supposing that the name “Forest Grunge” is not an alias used by Mr Duringer, the Court considers that the remarks repeatedly made, without any foundation, remarks which are totally offensive and preposterous, cannot fall within the scope of the provisions of Article 34 of the Convention.

In the Court's opinion, the intolerable conduct of Mr Gérard Duringer and Mr Forest Grunge – always supposing that the latter actually exists – is contrary to the purpose of the right of individual petition, as provided for in Articles 34 and 35 of the Convention. There is no doubt whatsoever that it constitutes an abuse of the right of application within the meaning of Article 35 § 3 of the Convention.

It follows that the applications lodged by Mr Gérard Duringer and Mr Forest Grunge must be declared inadmissible as an abuse of the right of application, within the meaning of Article 35 § 3 of the Convention.

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For these reasons, the Court unanimously

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*Declares* the remainder of the applications inadmissible.