



European Court Registrar calls for special measures to deal with influx of Hungarian pension cases

Erik Fribergh, Registrar of the European Court of Human Rights, has issued the following statement.

"Since mid-December 2011, the Court has received almost 8,000 individual applications against Hungary relating to the pension rights of former law enforcement officers who benefited from early retirement. These cases raise essentially identical issues, primarily the replacement – by virtue of Law No. 167 of 2011 on the Termination of Old-Age Pension before Retirement Age, on Benefit Prior to Retirement Age and on Service Allowance – of the applicants' retirement pensions, which were not subject to income tax, by an allowance which is taxable at 16%. The applicants complain that this constitutes a violation of their right to peaceful enjoyment of their possessions and is discriminatory in relation to other groups. They rely in essence on Article 1 of Protocol No. 1 and Article 14 of the Convention.

In the face of an influx of a very large number of similar applications, the Court cannot process the applications in the normal manner. In such circumstances, it is important that the presentation of the applications be coordinated at national level by a limited number of representatives. The Court therefore encourages the relevant trade unions in Hungary to re-submit grouped applications, annexing lists of the individual applicants' names and details, in a form which will enable the Court to register and process them efficiently.

The Court will identify one or more applications which it will examine as a priority as leading cases and, pending the outcome of those cases, it will not take any procedural steps in relation to the other applications. In addition, applications which are not lodged through one of the trade unions concerned will not be registered for the time being. In principle, the date of the initial communication with the Court will be considered to be the date of introduction of individual applications, whether or not lodged through one of the trade unions. However, for the time being the Court's Registry will not inform individual applicants that their applications have been registered. Moreover, it will not correspond with individual applicants or respond to any enquiries relating to these cases, but will publish information about the leading cases on its internet at appropriate intervals."

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.