



Judgments concerning Finland, Greece, Italy, Romania and Turkey

The European Court of Human Rights has today notified in writing the following nine Chamber judgments¹, none of which is final.

Repetitive cases² and length-of-proceedings cases, with the Court's main finding indicated, can be found at the end of the press release. The judgments in French are indicated with an asterisk (*).

Röman v. Finland (application no. 13072/05)

The applicant, Mirja Anneli Röman, is a Finnish national, born in 1954, who lives in Vantaa (Finland). She was born out of wedlock. Relying in particular on Article 8 (right to respect for private and family life) of the European Convention on Human Rights, she complained of the impossibility to have her biological father's paternity legally established due to a five-year time-limit imposed by national law for establishing the paternity of children born before the entry into force of the new Paternity Act on 1 October 1976.

Violation of Article 8

Just satisfaction: EUR 6,000 (non-pecuniary damage) and EUR 4,000 (costs and expenses)

Just Satisfaction

Paratheristikos Oikodomikos Synetairismos Stegaseos Ypallilon Trapezis Tis Ellados v. Greece (no. 2998/08)*

The applicant, Paratheristikos Oikodomikos Synetairismos Stegaseos Ypallilon Trapezis Tis Ellados, is an association of employees of the Bank of Greece set up with the sole aim of building a holiday centre for the Bank's employees on land which it acquired in 1966. The association complained that the authorities had changed the status of the land concerned, restricting the use that could be made of it and prohibiting the construction of developments such as the one featured in its plans. It further complained that the length of the proceedings before the Supreme Administrative Court had been excessive.

In its [judgment](#) of 3 May 2011 ("judgment on the merits"), the European Court of Human Rights held that there had been a violation of Article 6 § 1 (right to a fair hearing within a reasonable time) and Article 13 (right to an effective remedy) of the

¹ Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution

² In which the Court has reached the same findings as in similar cases raising the same issues under the Convention.

Convention, as well as a violation of Article 1 of Protocol No. 1 (protection of property). Today's judgment concerned the question of just satisfaction (Article 41).

Just satisfaction: EUR 500,000 (pecuniary damage), EUR 4,000 (non-pecuniary damage) and EUR 3,460 (costs and expenses)

Cirillo v. Italy (no. 36276/10)*

The applicant, Bruno Cirillo, is an Italian national who was born in 1980 and is currently detained in Foggia prison (Italy). Mr Cirillo complained that the treatment he had received in prison for his partial paralysis had been inadequate, and alleged a violation of Article 3 (prohibition of inhuman or degrading treatment).

Violation of Article 3

Just satisfaction: EUR 10,000 (non-pecuniary damage) and EUR 3,000 (costs and expenses)

Lombardo v. Italy (no. 25704/11)*

The applicant, Sergio Lombardo, is an Italian national who was born in 1939 and lives in Rome. He complained of his inability to exercise his right of contact with his daughter under the conditions determined by the courts in 2003, stemming from the failure of social services to take action to overcome the objections of the child's mother and from the domestic courts' inability to enforce their decisions. Stressing also the damaging effects of the situation on his relationship with his child, Mr Lombardo alleged a violation of Article 8 § 1 (right to respect for private and family life).

Violation of Article 8

Just satisfaction: EUR 15,000 (non-pecuniary damage) and EUR 10,000 (costs and expenses)

Catană v. Romania (no. 10473/05)*

The applicant, Constantin-Cristian Catană, is a Romanian national who was born in 1969 and lives in Piatra Neamț (Romania). Relying in particular on Article 3 (prohibition of inhuman or degrading treatment), he complained of the treatment to which he had been subjected after being remanded in custody in Bacău police detention centre on 19 October 2004. He referred, in particular, to the cramped conditions in his cell and his limited access to the sanitary facilities. Under Article 5 § 4 (right to a speedy decision on the lawfulness of detention), Mr Catană also complained of the fact that he had not been present at the hearing concerning his remand in custody.

Violation of Article 3

Violation of Article 5 § 4

Just satisfaction: EUR 3,900 (non-pecuniary damage) and EUR 1,000 (costs and expenses)

Güdenoğlu and Others v. Turkey (nos. 42599/08, 30873/09, 38775/09, 38778/09, 40899/09, 40905/09, 43404/09, 44024/09, 44025/09, 47858/09, 53653/09, 5431/10, and 8571/10)

The applicants Filiz Koçali, Ayhan Bilgen, Ziya Çiçekçi, Halit Güdenoğlu, Sibel Bulut, and Cesur Yılmaz are Turkish nationals who were born in 1958, 1971, 1974, 1983, 1986 and 1987 respectively and live in Istanbul and Ankara. They are the owners, executive directors, editors-in-chief and editors of six weekly and three daily newspapers: *Bağımsızlık Demokrasi Sosyalizm için Yürüyüş*, *Ezilenlerin Sosyalist Alternatifi Atılım*, *Özgür Mezopotamya*, *Günlük*, *Siyasi Alternatif*, *Özgür Görüş*, *Süreç*, *Rojev* and *Demokratik Açılım*. The case concerned the applicants' complaints that their newspapers' publication and distribution had been suspended for varying periods of time between March 2008 and December 2009 on the ground that they had published propaganda in favour of illegal organisations. They relied in particular on Article 10 (freedom of expression).

Violation of Article 10

Just satisfaction: EUR 1,000 to Ziya Çiçekçi and EUR 1,500 to Cesur Yılmaz (pecuniary damage), EUR 1,800 each to Sibel Bulut, Cesur Yılmaz, Ziya Çiçekçi, Ayhan Bilgen and Filiz Koçali (non-pecuniary damage), and EUR 1,000 to Sibel Bulut and EUR 1,000 jointly to Cesur Yılmaz, Ziya Çiçekçi, Filiz Koçali, Ayhan Bilgen and Ziya Çiçekçi (costs and expenses).

Süleymanoğlu v. Turkey (no. 38283/04)*

The applicant, Ayhan Süleymanoğlu, is a Turkish national who was born in 1973 and lives in Van (Turkey). Relying in particular on Article 5 (right to liberty and security), he complained of being arrested and detained in Bursa prison under a pre-trial detention order issued in his absence, and of being unable as a result to present his case before the competent court. He further complained of the fact that he had been held in pre-trial detention for three months without the opportunity to give evidence in connection with the charges against him.

Violation of Article 5 § 3 (right to liberty and security)

Violation of Article 5 § 4 (right to have lawfulness of detention decided speedily by a court)

Just satisfaction: EUR 6,500 (non-pecuniary damage)

Repetitive case

The following case raised issues which had already been submitted to the Court.

Lanteri v. Italy (no. 56578/00)* – Just Satisfaction

This case concerned indirect expropriation. In its judgment of 15 November 2005 the Court held that there had been a violation of Article 1 of Protocol No. 1 (protection of property). Today's judgment concerned the question of just satisfaction (Article 41).

Just satisfaction: EUR 3,000 (pecuniary damage), EUR 10,000 (non-pecuniary damage) and EUR 15,000 (costs and expenses)

Length-of-proceedings case

In the following case, the applicants complained in particular about the excessive length of criminal proceedings.

Borobar and Others v. Romania (no. 5663/04)

Violation of Article 6 § 1

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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.