



Judgments concerning Estonia and Russia

The European Court of Human Rights has today notified in writing the following two Chamber judgments¹, none of which is final. The judgments are available only in English.

The Court has also delivered today its judgment in the case of I.K. v. Austria (no. 2964/12), for which a separate press release has been issued.

Korobov and Others v. Estonia (application no. 10195/08)

The applicants are three Estonian nationals, two Russian nationals and two people of undetermined citizenship. They are all residents in Estonia. The case concerned the applicants' alleged ill-treatment and detention during riots in Tallinn in April 2007 following protests against the relocation of a monument commemorating the entry of the Soviet Red Army into Tallinn during the Second World War. Relying in particular on Article 3 (prohibition of torture and of inhuman or degrading treatment), four of the applicants complained that they had been ill-treated during their arrest and detention, and that no effective investigation had been carried out into their complaints.

Violation of Article 3 (ill-treatment) – in respect of the fifth applicant

No violation of Article 3 (ill-treatment) – in respect of the first, fourth and seventh applicants

Violation of Article 3 (investigation) – in respect of the first, fourth, fifth and seventh applicants

The Court declared inadmissible the complaints of the other three applicants.

Just satisfaction: EUR 11,000 to each of the first, fourth and seventh applicants (non-pecuniary damage), EUR 14,000 to the fifth applicant (non-pecuniary damage) and EUR 3,000 jointly to these four applicants (costs and expenses)

Novaya Gazeta and Borodyanskiy v. Russia (no. 14087/08)

The applicants are Novaya Gazeta Editorial and Publishing House, which publishes the daily national newspaper *Novaya Gazeta*, and G. Borodyanskiy, a Russian national born in 1959 and living in Omsk, who is a regional journalist of the newspaper. In November 2006 Mr Borodyanskiy published an article concerning irregularities in the way in which large unpaid loans were issued by a bank and alleged connections between the governor of the Omsk region and an influential businessman. The governor lodged a libel action against the applicants. The applicants complained that the libel proceedings, which had resulted in an order to publish a rectification and to pay damages to the governor, had breached their rights under Article 10 (freedom of expression).

No violation of Article 10

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

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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.