



## Judgments concerning Bulgaria Hungary, Latvia, Poland, Serbia and Turkey

The European Court of Human Rights has today notified in writing the following 11 judgments, of which eight (in italics) are Committee judgments and are final. The others are Chamber judgments<sup>1</sup> and are not final.

Repetitive cases<sup>2</sup> 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 (\*).

*The Court has also delivered today judgments in the cases of Nedelcheva and Others v. Bulgaria (application no. 5516/05), Eremia and Others v. the Republic of Moldova (no. 3564/11) and Leventoğlu Abdulkadiroğlu v. Turkey (no. 7971/07), for which separate press releases have been issued.*

### Sabev v. Bulgaria (application no. 27887/06)

The applicant, Miroslav Sabev, is a Bulgarian national who was born in 1966 and is currently serving a life sentence without commutation in Lovech Prison (Bulgaria) for murder and robbery. The case concerned his complaint about the conditions of his detention in Lovech Prison between August 1999 and November 2008 under a "special regime", which meant that he was constantly kept in a locked cell under heightened supervision. He notably complained about the strict isolation of such detention and the fact that he had to go to the toilet in a bucket as there were no toilets in the cell. He relied on Article 3 (prohibition of inhuman or degrading treatment) and Article 13 (right to an effective remedy) of the European Convention on Human Rights.

**Violation of Article 3** (conditions of detention)

**Violation of Article 13**

**Just satisfaction:** EUR 6,000 (non-pecuniary damage) and EUR 1,677,55 (costs and expenses)

### Sorokins and Sorokina v. Latvia (no. 45476/04)

The applicants, Aleksandrs Sorokins and Marija Sorokina, son and mother, are Latvian nationals who were born in 1971 and 1939 respectively and live in Rīga. The case principally concerned Mr Sorokins's allegation that, when arrested in June 1997, he had been ill-treated by the police in order to make him confess to a theft. He also alleged that his subsequent conviction in March 2004 by the Supreme Court had been based on a confession which had been made under duress and that the authorities had failed to

<sup>1</sup> 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](http://www.coe.int/t/dghl/monitoring/execution)

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

investigate his claims of police ill-treatment. Lastly, he complained about the excessive length – nearly six years and nine months – of the criminal proceedings against him. He relied on Article 3 (prohibition of inhuman or degrading treatment) and Article 6 § 1 (right to a fair trial within a reasonable time).

**Violation under the procedural limb of Article 3** (ineffectiveness of the investigation of the alleged ill-treatment by police)

**No violation of Article 6 § 1** (use of allegedly unlawfully obtained confession)

**Violation of Article 6 § 1** (length of the criminal proceedings)

**Just satisfaction:** EUR 5,000 (non-pecuniary damage) to Mr Sorokins

## Baran v. Poland (no. 53315/09)

The applicant, Jadwiga Baran, is a Polish national who was born in 1947 and lives in Ołtarzew (Poland). The case concerned the unlawfulness of her detention following her forced hospitalisation, and the fact that she had been unable to obtain compensation for the damage suffered. At a hearing in 2002 the applicant behaved aggressively towards a judge and was sentenced to a day's detention. At the police station she underwent a psychiatric examination, following which she was hospitalised by force for several days. Her detention following her hospitalisation was subsequently declared unlawful by the Polish courts. The applicant instituted proceedings seeking compensation, but to no avail. Mrs Baran alleged that her detention following her forced hospitalisation had been contrary to Article 5 (right to freedom and security). She further complained that she had not been awarded compensation.

**Violation of Article 5 § 1**

**Violation of Article 5 § 5**

**Just satisfaction:** EUR 6,000 (non-pecuniary damage)

## Repetitive cases

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

***Anđelić and Others v. Serbia*** (no. 57611/10 and 166 other applications)

This case concerned the non-enforcement of a final judgment awarding the applicants salary arrears in an employment dispute. The applicants relied on Article 6 § 1 (right to a fair hearing) and Article 1 of Protocol No. 1 (protection of property).

**Violation of Article 6**

**Violation of Article 1 of Protocol no. 1**

***Yaşar Eriş v. Turkey*** (nº.53214/09)\*

The applicant complains about the length of his pre-trial detention and the lack of an effective remedy to obtain compensation.

**Violation of Article 5 § 3**

**Violation of Article 5 § 5**

## Length-of-proceedings cases

In the following cases, the applicants complained in particular under Article 6 § 1 (right to a fair hearing within a reasonable time) about the excessive length of non-criminal proceedings.

***Magyar Cement Kft c. Hongrie*** (nº 33795/08)

***Akman et autres c. Turquie*** (n° 2267/08)\*  
***Akmansoy c. Turquie*** (n° 14787/07)\*  
***Kırmaç c. Turquie*** (n° 36233/06)\*  
***Taner Gündüz c. Turquie*** (n° 32000/06)\*  
***Tekin c. Turquie*** (n° 26252/06)\*

**Violation of Article 6 § 1** – in all six cases

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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.