



Forthcoming judgments

The European Court of Human Rights will be notifying in writing 13 judgments on Tuesday 17 May 2011.

*Press releases and texts of the judgments will be available at **10 a.m.** (local time) on the Court's Internet site (www.echr.coe.int)*

Tuesday 17 May 2011

Capitani and Campanella v. Italy (application no. 24920/07)

The applicants, Elena Capitani, Attilio Campanella, Amalia Campanella and Catiuscia Campanella, are four Italian nationals who were born in 1951, 1946, 1978 and 1976 respectively and live in Castellalto (Italy). Relying, in particular, on Article 6 § 1 (right to a fair trial) of the European Convention on Human Rights, they complain of the fact that the hearings held in the proceedings concerning preventive measures against them (confiscation of property), conducted in connection with the criminal proceedings against them for criminal association, did not take place in public.

Bisir and Tulus v. Moldova (no. 42973/05)

The applicants are two married couples, Ivan and Svetlana Bisir, and, Ivan and Elena Tulus. They are all Moldovan nationals; the two men are also Bulgarian nationals. They were born in 1968, 1970, 1966 and 1969 respectively and live in Chişinău. The two couples were at a wedding party on 3 June 2005 when masked police officers intervened and arrested Mr Bisir and Mr Tulus on suspicion of forgery and swindling. Later that night, their houses were searched. The charges against the two men were dropped in October 2006 due to lack of evidence. Both men complain about the unlawfulness as well as the conditions of their detention, notably the failure to provide them with appropriate medical care. Mr Bisir also alleges that he was ill-treated in September 2005 by police officers who kicked and punched him until he lost consciousness for asking why they were carrying out a search of his cell. He further complains that the investigation into his allegation of ill-treatment was inadequate. Both men rely on Articles 3 (prohibition of inhuman or degrading treatment), 5 (right to liberty and security) and 13 (right to an effective remedy) of the Convention. Further relying on 8 (right to respect for private and family life and the home), all the applicants also complain that the search of their homes in the middle of the night was unlawful.

Ganea v. Moldova (no. 2474/06)

The applicant, Mihai Ganea, is a Moldovan national who was born in 1948 and lives in Soroca (Moldova). Relying on Article 5 §§ 1 and 5 (right to liberty and security), he complains that he was detained unlawfully for four days (on the basis of a falsified police report) and that the domestic courts awarded him inappropriate and insufficient compensation.

Just satisfaction

[Megadat.com SRL v. Moldova \(no. 21151/04\)](#)

The applicant company, Megadat.com SRL, was incorporated in Moldova and at the relevant time the largest internet provider in the country. In a Chamber [judgment](#) of 8 April 2008 the Court held that there had been a violation of Article 1 of Protocol No. 1 (protection of property) as a result of the invalidation of the applicant company's telecommunication licences in October 2003 for failing to notify the relevant regulatory board of a change of address. As a result, the company's licences were withdrawn in July 2004 and it was forced to close down. The question of the application of Article 41 (just satisfaction) will be decided in the judgment to be delivered on 17 May 2011.

[Akgöl and Göl v. Turkey \(nos. 28495/06 and 28516/06\)](#)

The applicants, Ali Akgöl and Hakan Göl, are two Turkish nationals who were born in 1980 and 1979 and live in Hatay and Urfa (Turkey), respectively. Relying, in particular, on Article 11 (freedom of assembly and association), they complain about the intervention of gendarmes in a demonstration in which they participated as university students in 2002 to commemorate the killing of a fellow student. The applicants were subsequently arrested and criminal proceedings, pending since 2002, were brought against them for taking part in an unlawful demonstration.

[Gazioğlu and Others v. Turkey \(no. 29835/05\)](#)

The applicants, Derya Gazioğlu, Burhan İlgün, Hacı Badem and Akan Şenel, are four Turkish nationals who were born in 1984, 1980, 1955 and 1979 respectively and live in Istanbul. Relying, in particular, on Articles 3 (prohibition of inhuman or degrading treatment) and 11 (freedom of assembly and association), they complain of ill-treatment by police officers who arrested them in 2003 during a demonstration in protest against the Turkish Government's proposals to send soldiers to take part in the invasion of Iraq.

[Küçük v. Turkey and Switzerland \(no. 33362/04\)](#)

The applicants, Murat Küçük and his son Nevzat Abdullah Küçük, are Turkish nationals who were born in 1972 and 1997 respectively and live in Ankara. Relying on Article 8 (right to respect for private and family life), they allege that the Turkish and Swiss authorities failed in their obligation to take appropriate measures to ensure the prompt enforcement of judicial decisions awarding the first applicant parental responsibility and custody of his son, who had been abducted by his mother. Relying on Article 5 § 1 (right to liberty and security), they further complain that they were detained unlawfully for several hours in November 2004 on the premises of the Esenboğa airport police when the first applicant was returning to Turkey after collecting his son in Switzerland.

Repetitive cases

The following cases raise issues which have already been submitted to the Court.

Farina v. Italy (no. 75259/01)

Fiorello and Calogero v. Italy (no. 67794/01)

Santinelli and Others v. Italy (no. 65141/01)

These cases concern the applicants' complaint about indirect expropriation for which no compensation was paid. They all rely on Article 1 of Protocol No. 1 (protection of property). The applicant in the case of **Farina** also relies on Article 6 § 1 (right to a fair hearing).

Ventorino v. Italy (no. 357/07)

Mocanu v. Moldova (no. 12708/05)

These cases concern the non-enforcement or delayed enforcement of final judgments in the applicants' favour. They rely on Article 6 § 1 (right to a fair hearing) and Article 1 of Protocol No. 1 (protection of property).

Length-of-proceedings case

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

Revision

Horváth and Others v. Hungary (no. 45407/05)

In a judgment of 24 November 2009, the Court held that there had been a violation of Article 6 § 1 on account of the excessive length of civil proceedings. The Government has requested revision of this judgment.

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on its [Internet site](#). To receive the Court's press releases, please subscribe to the [Court's RSS feeds](#).

Press contacts

echrpress@echr.coe.int | tel: +33 3 90 21 42 08

Emma Hellyer (tel: + 33 3 90 21 42 15)

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)

Kristina Pencheva-Malinowski (tel: + 33 3 88 41 35 70)

Frédéric Dolt (tel: + 33 3 90 21 53 39)

Nina Salomon (tel: + 33 3 90 21 49 79)

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.