



Judgments¹ concerning Italy, Lithuania, the Netherlands, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia and Turkey

The European Court of Human Rights has today notified in writing the following 23 judgments.

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 available only in French are indicated with an asterisk (*).

Bok v. Netherlands (application no. 45482/06)

The applicant, Johan Bok, is a Netherlands national who was born in 1941 and lives in Rotterdam (Netherlands). In 1997 Mr Bok was convicted of various offences linked to organised crime; he was later acquitted on appeal. He complained that the domestic courts had rejected his ensuing claim for damages and refund of his costs and expenses as they had considered that the original suspicion against him had not been dispelled. He alleged therefore that he had had to prove his innocence of a crime of which he had already been acquitted, in breach in particular of Article 6 § 2 (right to a fair hearing and presumption of innocence).

No violation of Article 6 § 2

Rogala v. Poland (no. 40176/08)*

The applicant, Adam Rogala, is a Polish national who was born in 1959 and is currently detained in Warsaw Prison. Since 10 December 2005, he has been the subject of subsequent periods of pre-trial detention, ordered within the framework of five sets of criminal proceedings relating to the activities of a vast criminal enterprise known as the "Wolominska gang" (*grupa wołomińska*) of which the applicant was suspected of being a member. Relying in particular on Article 5 § 3 (right to liberty and security) of the Convention he complained of the length of the proceedings against him.

No violation of Article 5 § 3

Just satisfaction

Silviu Marin v. Romania (no. 35482/06)*

The applicant, Silviu Marin, is a Romanian national who was born in 1950 and lives in Slobozia (Romania). In its judgment of 2 June 2009, the Court held that there had been

1 Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following their 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.

a violation of Article 1 of Protocol No. 1 (protection of property) on the ground that administrative decisions granting the applicant ownership of land for the construction of a house had been declared null and void. In its judgment today, the Court awarded the applicant 2,000 euros (EUR) in respect of non-pecuniary damage.

Mikolajová v. Slovakia (no. 4479/03)

The applicant, Helena Mikolajová, is a Slovak national who was born in 1969 and lives in Košice (Slovakia). In 2000 Ms Mikolajová's husband filed a complaint with the police alleging that she had beaten and wounded him. The case was, however, later dropped as he did not agree to criminal proceedings being brought against her. Relying in particular on Article 8 (right to respect for private life and protection of reputation), she complained about the ensuing decision issued by the Košice police department stating that, although criminal prosecution had been barred since the victim had not consented to it, the investigation had showed that she had committed a criminal offence.

Violation of Article 8

Just satisfaction: EUR 1,500 (non-pecuniary damage)

Repetitive cases

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

Grochulski v. Poland (no. 33004/07)

This case concerned the applicant's complaint about the excessive length of his pre-trial detention on suspicion of fraud, money laundering, counterfeiting and forgery committed as a member of an organised criminal gang. He relied on Article 5 § 3 (right to liberty and security).

Violation of Article 5 § 3

Sancho Cruz and 14 other "agrarian reform cases" v. Portugal (nos. 8851/07, 8854/07, 8856/07, 8865/07, 10142/07, 10144/07, 24622/07, 32733/07, 32744/07, 41645/07, 19150/08, 22885/08, 22887/08, 26612/08 and 202/09)*

These cases concerned the delay in calculating and paying the compensation awarded to the applicants. They relied in particular on Article 1 of Protocol No. 1 (protection of property).

Violation of Article 1 of Protocol No. 1

Milošević v. Serbia (no. 32484/03)

This case concerned the applicant's complaint regarding the monitoring of his correspondence with the Court and with various domestic bodies while he was in prison. He relied on Article 8 (right to respect for correspondence).

Violation of Article 8

Length-of-proceedings cases

In the following cases, the applicants complained in particular of the excessive length of legal proceedings.

Criminal

Kravtas v. Lithuania (no. 12717/06)

Maneikas v. Lithuania (no. 21987/07)

Stasevičius v. Lithuania (no. 43222/04)

Zabulėnas v. Lithuania (no. 44438/04)

Gut v. Poland (no. 32440/08)

Ristić v. Serbia (no. 32181/08)
Varnavcin v. Slovakia (no. 41877/05)

These cases concerned in particular the applicants' complaints concerning the excessive length of criminal proceedings brought against them for embezzlement (first two cases), fraud (second two cases), arson (fifth case) and failure to pay child maintenance (sixth case). The seventh case concerned the excessive length of criminal proceedings for fraud which the applicant had joined with a claim for damages.

Violation of Article 6 § 1 – all cases

Non-criminal

Salvatore and Others v. Italy (nos. 27036/03, 34885/03, 37903/03 and 37905/03)*
Rikoma Ltd. v. Lithuania (no. 9668/06)

Sociedade de Construções Martins & Vieira, Lda. and Others (No. 2) v. Portugal (no. 55544/08)*

Sociedade de Construções Martins & Vieira, Lda. and Others (No. 3) v. Portugal (no. 57004/08)*

Sýkora v. Slovakia (no. 26077/03)

Mramor v. Slovenia (no. 31391/05)

Simončič v. Slovenia (no. 7531/04)

Mavitan v. Turkey (no. 41613/05)*

Vedat Arslan v. Turkey (no. 37927/04)

Violation of Article 6 § 1 – all cases

Violation of Article 13 – 3rd, 4th, 6th, 7th and 8th cases

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)

Céline Menu-Lange (tel: + 33 3 90 21 58 77)

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.