



Forthcoming judgments

The European Court of Human Rights will be notifying in writing ten judgments on 29 November 2011 and four on 1 December 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 29 November 2011

Grüne Alternative Wien v. Austria (application no. 13281/02)

The applicant, Grüne Alternative Wien, is the Vienna branch of a political party. In 2001 it was found guilty of defamation for publishing in its periodical "wien.direkt" a picture of the Chairman of the Vienna branch of the Austrian Freedom Party – H. Kabas – wearing a Nazi uniform. Relying on Article 10 (freedom of expression) of the European Convention on Human Rights, the applicant political party complains about the compensation it was ordered to pay in those proceedings against it. The proceedings have since been reopened and then discontinued as Mr Kabas withdrew his complaint; he has subsequently paid back both the compensation he was awarded as well as the costs and expenses incurred by the applicant.

A. and Others v. Bulgaria (no. 51776/08)

The applicants are five Bulgarian nationals who were born in 1991, 1994 and 1992 and lived in Podem at the relevant time. Under the Youth Anti-Social Behaviour Act, when aged between 14 and 18, they were placed in a supervised education establishment (young offenders' institution) for running away from home, school truancy, vagrancy and prostitution. They all complain about their placement in a young offenders' institution and also, in two cases, their previous placement in a "children's crisis centre" and a "youth shelter". They all rely on Article 5 § 1 (right to liberty and security). The second applicant further relies on Article 5 § 4 (right to have lawfulness of detention decided speedily by a court).

Beiere v. Latvia (no. 30954/05)

The applicant, Valentīna Beiere, is a Latvian national who was born in 1934 and lives in the parish of Saldus in Latvia. She alleges that, following letters she sent to her local council in which she criticised its executive director, she had criminal proceedings brought against her in 2001 for defamation and that she was interned in a psychiatric hospital in May 2002 for 23 days. Relying on Article 5 (right to liberty and security), she complains in particular about the unlawfulness of her internment, alleging that the conditions in the hospital where she was detained were unbearable and that she had to have a brain scan and injections with unknown substances against her will.

Barbara Wiśniewska v. Poland (no. 9072/02)

The applicant, Barbara Wiśniewska, is a Polish national who lives in Elbląg (Poland). Relying on Article 1 of Protocol No. 1 (protection of property), she complains about expropriation of land she owns in Gdańsk in 2000 for the construction of a road leading from the city centre to the airport.

[Giszczak v. Poland \(no. 40195/08\)](#)

The applicant, Grzegorz Giszczak, is a Polish national who was born in 1970 and lives in Chmielow (Poland). Serving a 13-year prison sentence for incitement to murder, Mr Giszczak complains that in May 2008 he was refused permission to visit his 11-year old daughter – seriously injured when hit by a bus – in intensive-care and that, following her death, he ultimately decided not to go to her funeral for fear of disrupting the ceremony as the authorities would only allow him to attend in prison clothes and chains and under police escort. The case will be examined under Article 8 (right to respect for private and family life).

[Kováčik v. Slovakia \(no. 50903/06\)](#)

The applicant, Peter Kováčik, is a Slovak national who was born in 1974 and lives in Dolný Kubín (Slovakia). Arrested in June 2003 on suspicion of robbery, Mr Kováčik complains in particular that his detention on remand was unlawful and that he was unable to obtain appropriate redress following his release in March 2006. He relies on Article 5 §§ 1 and 4 (right to liberty and security) and Article 13 (right to an effective remedy).

[Altınok v. Turkey \(no. 31610/08\)](#)

The applicant, Veli Ismail Altınok, is a Turkish national who was born in 1981 and lives in Adana. He was arrested on 12 April 2007 following a complaint alleging fraud and forgery. After being brought before the criminal court he was placed in pre-trial detention. Relying on Article 5 § 4 (right to take proceedings to have the lawfulness of detention decided speedily by a court), he alleges that the lodging of an objection and the procedure for automatic review of detention are ineffective. He also complains that the Assize Court did not give adequate reasons for ordering his continued detention and dismissing his objections. Relying on Article 5 § 5 (right to compensation), he complains that he did not have an effective remedy by which to obtain compensation.

[Kılıç and Eren v. Turkey \(no. 43807/07\)](#)

The applicants, Mehmet Fatih Kılıç and Kemal Eren, are Turkish nationals who were born in 1986 and 1980 respectively and live in Ağrı (Turkey). The applicants complain about their conviction and sentencing to 25 days' imprisonment – later commuted to a fine – in July 2007 for chanting slogans in support of Abdullah Öcalan, the imprisoned leader of the PKK (the Kurdistan Workers' Party), an illegal organisation in Turkey. They rely in particular on Article 10 (freedom of expression).

Repetitive cases

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

Çelik and Abatay v. Turkey (no. 45490/05)

Stoica v. Turkey (no. 19985/04)

In these cases, the applicants complain of the excessive length of their pre-trial detention.

Thursday 1 December 2011

[Schwabe and M.G. v. Germany \(nos. 8080/08 and 8577/08\)](#)

The applicants, Sven Schwabe and M.G., are German nationals who were both born in 1985 and live in Bad Bevensen and Berlin, respectively. The case concerns the applicants' complaint about their detention for five-and-a-half days in June 2007 to prevent them from participating in demonstrations against the G8 summit of Heads of State and Government held in Heiligendamm (near Rostock, Germany). They were arrested a few days before the summit when police officers carried out an identity check on them outside Waldeck prison and found banners in their van with the inscription "freedom for all prisoners" and "free all now". They rely in particular on Article 5 §§ 1 and 5 (right to liberty and security), Article 10 (freedom of expression), and Article 11 (freedom of assembly and association).

[V. v. Slovenia \(no. 26971/07\)](#)

The applicants are, D. V., and her husband, J. V.. They are Slovenian nationals. The case concerns their complaint about the taking into foster care of D.V.'s daughter, X, (from another partner) and their son, Y, in June 2003 following the suspicious death of their daughter (Y's twin sister) as well as about restrictions on their contact rights. Both parents were subsequently convicted in September 2009 for negligent manslaughter of their daughter; D.V was also found guilty of repeatedly causing the child severe injuries. They were sentenced to, respectively, eight-and-a-half years and three years in prison. They rely on Article 8 (right to respect for private and family life).

[Andriyevska v. Ukraine \(no. 34036/06\)](#)

The applicant, Tamara Andriyevska, is a Ukrainian national who was born in 1957 and lives in Pavlograd (Ukraine). She complains that she was denied access to a court of cassation in proceedings she brought against her former employer, the local police department, to recover in particular retirement-related payments as there was a disagreement by the domestic courts as to jurisdiction. She relies on Article 6 § 1 (right of access to a court).

Repetitive case

The following case raises issues which have already been submitted to the Court.

Bazalt Impeks, Tov v. Ukraine (no. 39051/07)

The case concerns the applicant company's complaint that the Supreme Court overstepped the limits of its jurisdiction in a case brought against it by an IT company to cancel a contract and have property returned. It relies on Article 6 § 1 (right to a fair trial within a reasonable time).

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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.