

ECHR 134 (2017) 27.04.2017

# Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing 17 judgments on Tuesday 2 May 2017 and 88 judgments and / or decisions on Thursday 4 May 2017.

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

# Tuesday 2 May 2017

## B.V. v. Belgium (application no. 61030/08)

The applicant, Ms B.V., is a Belgian national who was born in 1954 and lives in Brussels. The case concerns the investigation carried out by the Belgian authorities after she had lodged a criminal complaint alleging rape and indecent assault.

Ms B.V. alleged that she had been raped twice and indecently assaulted once by X, a work colleague, between 1996 and 1998.

On 15 September 1998 she confided in her managers, who contacted the Unit for Protection from Sexual Harassment at Work, which conducted various interviews. On 25 September 1998 Ms B.V. lodged a complaint with the gendarmerie, providing a medical certificate and the full name of a witness. The gendarmerie interviewed both her and X. The proceedings concerning her complaint were discontinued, although Ms B.V. was not officially informed of this.

On 30 April 2001, having learned by chance that no further action was to be taken on her complaint, Ms B.V. asked the public prosecutor's office to reopen the case against X. She complained that X had not been questioned by the gendarmerie and asked for evidence to be taken afresh.

On 14 February 2002 Ms B.V. lodged a criminal complaint and applied to join the proceedings as a civil party. No investigative steps were carried out between March 2002 and June 2004, and it became apparent that an inspection of the sites of the incidents was no longer possible. In June and July 2004 the police interviewed six of Ms B.V.'s former colleagues.

In September 2004 Ms B.V. applied to the Indictments Division of the Brussels Court of Appeal, which withdrew the case from the investigating judge on the grounds that his investigation had been "unacceptably" delayed and that he had simply repeated the contents of his notes without taking any action on them. A new investigating judge was appointed. Several people were interviewed by the police, and psychiatric assessments of X and Ms B.V. were conducted. The investigating judge sent the file to the public prosecutor's office, which on 2 October 2006 filed submissions recommending that the proceedings be discontinued for lack of sufficient evidence.

On 7 November 2006 Ms B.V. lodged a further application for additional investigative measures, which was granted by the investigating judge. After the public prosecutor's office had again recommended discontinuing the proceedings, the Committals Division found in an order of 17 January 2008 that there was insufficient evidence and discontinued the proceedings against X. The discontinuance order was upheld by the Indictments Division of the Brussels Court of Appeal in a judgment of 28 February 2008. On 18 June 2008 the Court of Cassation dismissed an appeal on points of law by Ms B.V., holding that the judgment appealed against had contained adequate reasons.



Relying in substance on Article 3 (prohibition of inhuman and degrading treatment) and Article 13 (right to an effective remedy) of the European Convention on Human Rights, the applicant complains that a full and comprehensive investigation was not carried out and that she did not have an effective remedy by which to raise her complaints of rape and indecent assault. Under Article 6 § 1 (right to a fair hearing within a reasonable time), she also complains that the proceedings were not conducted within a reasonable time.

## Golubar v. Croatia (no. 21951/15)

The applicant, Josip Golubar, is a Croatian national who was born in 1955. The case concerns his complaint about medical care in detention.

Mr Golubar started serving a three-year prison sentence in February 2014. Since then, he has repeatedly requested that his prison sentence be suspended on health grounds as he suffers from a serious neurological condition. The national courts, relying on a number of separate independent expert opinions they had commissioned, ultimately dismissed his request in March 2015. They notably found that he did not have any acute illness, that his medical condition had not worsened during detention, that the prison hospital – where he had immediately been placed at the start of his sentence – had the facilities to treat him and that he had indeed been regularly monitored and provided with medical assistance there. In the meantime, Mr Golubar had also raised complaints about the conditions of his detention during those proceedings – alleging lack of access to daylight and fresh air – and on lodging a constitutional complaint – alleging that he had to ask prison guards to let him out of his cell each time he needed the toilet. His constitutional complaint was declared inadmissible in January 2015.

Relying in particular on Article 3 (prohibition of inhuman or degrading treatment) of the European Convention, Mr Golubar alleges that the conditions of his detention were inadequate and that his state of health was not compatible with incarceration.

#### Jurica v. Croatia (no. 30376/13)

The applicant, Gordana Jurica, is a Croatian national who was born in 1953 and lives in Zagreb. The case concerns an allegation of medical negligence.

In January 1998 Ms Jurica brought civil proceedings against a public hospital and the relevant insurance company claiming damages following ear surgery which had caused one side of her face to be permanently paralysed. During the ensuing proceedings, a number of expert reports were admitted and hearings were held at which experts gave evidence in open court in the presence of the parties. Supplementary reports and fresh reports by new experts were also ordered. Relying on the expert reports thus obtained, which consistently found that Ms Jurica's health issues had been the result of complications and not medical malpractice, the first-instance court dismissed her claim. She lodged a number of unsuccessful appeals, to both the Supreme Court and the Constitutional Court, alleging that the medical experts in her case were biased as her allegations concerned their colleagues and as they were financially dependent on the hospital system. In her complaint to the Constitutional Court, Ms Jurica also alleged that the procedure before the civil courts was ineffective. This complaint was declared inadmissible in September 2012. In the meantime, she had also brought further civil proceedings to complain about the excessive length of the proceedings to decide on her claim; she was awarded 11,000 Croatian kunas (approximately 1,530 euros) in compensation.

Relying on Article 6 § 1 (right to a fair hearing within a reasonable time) and Article 8 (right to respect for private life), Ms Jurica complains about the excessive length – over 14 years – and ineffectiveness of the medical negligence proceedings. She complains in particular about the inadequacy of the legal framework in Croatia concerning medical negligence and the lack of impartiality of the experts involved.

# M. and Others v. Croatia (no. 50175/12)

The applicants, who are all Croatian nationals, were born in 1953, 1975, and 1978 respectively and live in Sisak (Croatia). They are the former wife and two sons of S.M., who was found dead on the bank of the river Sava in October 1991 with a gunshot wound to the head. The case concerns the alleged failure of the Croatian authorities to investigate his death.

The applicants claim that in September 1991 S.M. was abducted from their house in Novo Selo, allegedly by members of the Croatian army. The applicants submit that the relevant authorities had been made aware of the killing as early as 1991, and were repeatedly urged to investigate. In January 2003 a criminal complaint was lodged by the Sisak police in relation to the killing of individuals of Serbian ethnic origin in the broader Sisak area. In 2011 three men who had been senior members of the Sisak police at the relevant time were charged with war crimes, including the killing of S.M. One of the three commanders was convicted of having allowed the killings of persons of Serbian origin and of having failed to prevent such killings. However, there has been no prosecution of any individuals who carried out S.M.'s abduction and murder.

Relying in particular on Article 2 (right to life), the applicants complain about the killing of S.M., of alleged insufficiencies in the investigation, and of the absence of an effective remedy at their disposal in respect of these issues. They also maintain that S.M. was killed because of his Serbian ethnic origin and that the national authorities failed to investigate that aspect of the case. They further allege that the death of S.M. caused them suffering, in violation of Article 3 (prohibition of inhuman or degrading treatment); and that the case also involved violations of Article 5 (right to liberty) and Article 6 (right to a fair trial).

#### Lisovskij v. Lithuania (no. 36249/14)

The applicant, Genrik Lisovskij, is a Lithuanian national who was born in 1987 and lives in Vilnius. The case concerns his complaint about the excessive length of his detention on remand.

In December 2009 Mr Lisovskij was arrested and placed in detention on remand on suspicion of participating in an armed criminal organisation which possessed and distributed large quantities of drugs. He remained in detention on remand until May 2014. During the entire period from 2009 to 2014, Mr Lisovskij's detention on remand was authorised – and extended every three months – essentially on the grounds that he might flee or commit further crimes and that the case, involving organised crime, was particularly complex. In particular, there were over 50 witnesses and other suspects, and multiple investigative measures needed to be carried out. After the criminal case was transferred to the first-instance court for examination in December 2010, 57 hearings were scheduled, although almost half were adjourned, mainly because of the absence of witnesses or his co-accused. In May 2014 Mr Lisovskij was convicted and sentenced to ten years and six months' imprisonment in a separate set of criminal proceedings. In 2015 he was convicted of the charges at the origin of his arrest in 2009 and sentenced to 13 years' imprisonment, less the time spent in pretrial detention from 2009 to 2014. The appeal proceedings in both cases are currently still pending. In September 2016 Mr Lisovskij was released on bail.

Relying on Article 5 § 3 (right to liberty and security / entitlement to trial within a reasonable time or to release pending trial), Mr Lisovskij submits that his detention on remand for nearly four and a half years was excessive and unjustified.

#### Vasiliciuc v. the Republic of Moldova (no. 15944/11)

The applicant, Axenia Vasiliciuc, is a Moldovan national who was born in 1959. She lives and works in Athens, Greece. The case concerns her complaint about a detention order issued against her by the Moldovan authorities for jewellery smuggling.

On 15 September 2008 Ms Vasiliciuc was stopped by Moldovan customs officers at Chisinau Airport when returning to Greece after a holiday and taken to the airport police station for failing to declare 29 items of jewellery. Before leaving for Greece again two weeks later, she obtained permission from the authorities to leave the country, signing a formal undertaking to appear before the prosecuting authorities as and when necessary and giving her Greek address and telephone number. Criminal proceedings were formally brought against her in October 2008 for attempted jewellery smuggling and she was summoned to appear before the investigating authorities via her Moldovan address. Unaware of the criminal proceedings brought against her, Ms Vasiliciuc failed to appear. In June 2009, the prosecuting authorities thus applied to the courts for an order to detain her on the ground of her absconding. Referring to this detention order, the Moldovan authorities eventually, in July 2011, applied to Interpol for an international arrest warrant against her. As a result, around a month later, she was arrested in Greece and detained pending extradition. However, she was released 23 days later when the Greek courts rejected the Moldovan authorities' extradition request seeing as there was no agreement between Moldova and Greece on requests to extradite suspects of offences connected to taxes, duties and customs. Ms Vasiliciuc has not apparently returned to Moldova since.

Relying in essence on Article 5 § 1 (c) (right to liberty and security), Ms Vasiliciuc complains about the detention order against her, arguing that it had been unnecessary.

# Olisov and Others v. Russia (nos. 10825/09, 12412/14, and 35192/14); Sitnikov v. Russia (no. 14769/09) and Kondakov v. Russia (no. 31632/10)

The applicants are five Russian nationals: Aleksandr Olisov (born 1973), Nikita Danishkin (born 1985), Yuriy Zontov (born 1981), Nikolay Sitnikov (born 1988) and Vadim Kondakov (born 1979). They live (or are serving prison sentences) in the Krasnodar region, the Volgograd region, the Orenburg region and the Sverdlovsk region, respectively (all Russia). They all complain that they were apprehended by the police, and – prior to being formally arrested – subjected to ill-treatment by police officers, who forced them to sign confessions. Their allegations include claims that they were punched and kicked, beaten with truncheons, tied up in torturous positions and suffocated. They rely on Article 3 (prohibition of ill-treatment) to complain that they were subjected to violence from police officers and that the authorities refused to investigate their allegations against the police.

## Ruminski v. Sweden (no. 17906/15)

The applicant, Krzysztof Ruminski, is a Swedish national who was born in 1950 and lives in Jordbro (Sweden). The case concerns proceedings relating to his application for life annuity.

In 2003 Mr Ruminski applied for life annuity from the Social Insurance Office, alleging that he had back-related problems which had been caused by his various former employments. His application was rejected, as were his subsequent appeals to the administrative courts. The first-instance court essentially found that the evidence did not show that his work had caused or aggravated his problems. The Administrative Court of Appeal then endorsed this reasoning in October 2008, finding that new evidence submitted by Mr Ruminski – a medical report issued by the Centre of Public Health, Occupational and Environmental Medicine stating that his work had caused his problems – did not alter its conclusion. The Supreme Administrative Court refused leave to appeal in August 2009.

Relying on Article 6 § 1 (right to a fair hearing), Mr Ruminski alleges that the Administrative Court of Appeal simply endorsed the lower court's judgment and failed to give adequate reasons for its decision, despite his having submitted new, highly relevant evidence.

# Sarur v. Turkey (no. 55949/11)

The applicant, Celal Sarur, is a Turkish national who was born in 1989 and lives in Şırnak (Turkey). The case concerns a compensation claim brought by the parents of the applicant, who was injured by an anti-personnel mine while he was a minor.

On 21 October 2005 an anti-personnel mine buried at the Turkish-Syrian border exploded, causing serious facial and hand injuries to Mr Sarur, who was 16 at the time. His life was saved, but he lost his hands and his eyesight.

On 22 October 2005 the Idil public prosecutor opened a criminal investigation. At the end of the investigation he made an order discontinuing the proceedings, noting that Mr Sarur's father had not lodged a complaint in connection with his son's injuries and finding that Mr Sarur himself bore responsibility for the accident. Mr Sarur and his parents did not appeal against the order.

On 16 December 2005 Mr Sarur's parents applied to the Ministry of the Interior for compensation for pecuniary and non-pecuniary damage. No action was taken on their application. They accordingly brought a claim in the Diyarbakir Administrative Court, seeking compensation for the damage they had allegedly sustained on account of their son's injuries. The Diyarbakir Administrative Court declined jurisdiction and referred the case to the Mardin Administrative Court. In a judgment of 22 March 2007 that court dismissed the claim, holding that the site where the mine had been buried was surrounded by barbed wire, with warning signs at regular intervals. Accordingly, taking the view that Mr Sarur had intentionally entered the site in question, it concluded that he had been at fault and thus bore responsibility for his own injuries.

Mr Sarur's parents appealed on points of law to the Supreme Administrative Court, which dismissed their appeal in a judgment of 11 October 2010.

Relying in particular on Article 3 (prohibition of inhuman and degrading treatment) and Article 13 (right to an effective remedy), the applicant submits that the State failed to comply with its obligation to take appropriate measures to prevent the incident in question, and consequently with its obligation to protect his right to life. Under Article 14 (prohibition of discrimination), he alleges that he was discriminated against on account of his Kurdish origin.

The Court will give its rulings in writing on the following cases, some of which concern issues which have already been submitted to the Court, including excessive length of proceedings.

These rulings can be consulted from the day of their delivery on the Court's online database HUDOC.

They will not appear in the press release issued on that day.

Stowarzyszenie Wietnamczyków w Polsce 'Solidarność i Przyjaźń' v. Poland (no. 7389/09)
Rupa and Ţompi v. Romania (no. 60272/09)
Klimenko v. Russia (no. 18561/10)
Menshikov v. Russia (no. 36888/13)
Nizov v. Russia (no. 66823/12)
Sokolov v. Russia (no. 62068/08)

# Thursday 4 May 2017

#### Chap Ltd v. Armenia (no. 15485/09)

The case concerns tax evasion proceedings brought against a regional television broadcasting company.

Chap Ltd., the applicant, is a private Armenian company that was set up in 1999 and is based in Gyumri (Armenia). In 2005 it created a regional television channel, Gala TV, which broadcasted in

Gyumri, the second largest town in Armenia. Gala TV was widely recognised as one of the few independent voices in television broadcasting in the country.

Following a tax inspection conducted on the applicant company's accounts in 2007, a report was issued finding the company liable for tax evasion. It was notably accused of hiding income earned from advertising. The report was based on documents requested from and subsequently submitted by the head of the National Television and Radio Commission ("the NTRC") as well as statements by businessmen who had placed advertisements on Gala TV. It was ordered to pay 51,000 euros, including surcharges and fines. As the applicant company did not pay, the tax authorities brought proceedings in the domestic courts. In those proceedings the applicant company's lawyer challenged the tax inspection report and asked for the head of NTRC as well as the relevant businessmen to be summoned to testify about the information they had provided/statements they had made. These applications were however rejected as the courts considered their evidence irrelevant. Ultimately, in March 2008 the administrative courts, relying among other things on the documents and statements in the tax report, granted the tax authorities' claim against the applicant company almost in its entirety and decided to levy a total charge of approximately EUR 50,000. The applicant company's appeal on points of law was declared inadmissible in September 2008.

Relying on Article 6 §§ 1 and 3 (d) (right to a fair trial and right to obtain attendance and examination of witnesses), the applicant company complains about the unfairness of the tax proceedings brought against it as it had not been able to examine witnesses whose evidence had been used against it in the proceedings.

## Mustafayev v. Azerbaijan (no. 47095/09)

The applicant, Zeynal Zeynal oglu Mustafayev, is an Azerbaijani national who was born in 1937 and lives in Sumgayit (Azerbaijan). The case concerns the death of his son, Mahir Mustafayev, in prison.

The applicant learnt on 6 December 2006 that his son Mahir Mustafayev, serving a life sentence in Gobustan Prison, had died three days earlier from smoke inhalation and first and second degree burns when a fire broke out in his cell. Although the exact time when the fire began is in dispute, the parties agree that the applicant's son was taken out of his cell by guards at around 7 a.m., was given first aid by a paramedic and at around 11.45 a.m. was sent by car to a hospital in Baku; he arrived at 2.45 p.m. and died shortly after.

A criminal inquiry was launched the next day by the prosecuting authorities. Following a series of domestic proceedings, in May 2008 the Garadagh District Prosecutor's Office refused to institute criminal proceedings into the death, concluding that the applicant's son had died as a result of an accidental fire; this decision was upheld by the domestic courts in February 2009. Throughout this period the domestic prosecutors and courts repeatedly overruled the investigators' decisions, finding that the inquiries were incomplete and suggesting that further investigative steps be taken. The steps suggested included ordering a forensic fire examination, establishing why it had taken so long to transfer the applicant's son to hospital and clarifying discrepancies in two reports, one which stated that the applicant's son had been unable to move as he had been burnt and in shock and the other indicating that he had signed a statement immediately after the incident confirming that the fire had broken out because he had had an epileptic seizure while smoking.

Relying in particular on Article 2 (right to life), the applicant alleges that his son was either deliberately killed by prison guards – who then tried to cover up the murder by setting fire to his cell – or died as a result of the authorities' failure to provide appropriate medical care, it having taken almost eight hours to transfer him to hospital despite his having serious burns. He also complains that the ensuing investigation into the death of his son was ineffective, submitting that he was not kept duly informed of its progress.

## Traustason and Others v. Iceland (no. 44081/13)

At the relevant time, two of the applicants were on the editorial board of DV, and the third applicant was a journalist for the paper. The three applicants complain that their rights to freedom of expression were violated by judgments making them liable for defamation.

In March 2011 DV published a story (written by the third applicant) about the management of a leading Icelandic packaging company, which had been declared bankrupt in 2010. The article reported the findings of an accountancy firm's investigation into the company, which included suggestions of financial mismanagement by board members. Headlines on the front page of the newspaper and above the article stated that the chairman of the board, A., was being investigated by the police. A. lodged defamation proceedings against the applicants and DV. In March 2012 the District Court held that, though it was true that the police had been "examining" a complaint concerning A., they had not taken the formal decision to "investigate". The suggestion that A. was being investigated by police was therefore wrong, and also defamatory. The statements were declared null and void, and the applicants were ordered to pay 200,000 Icelandic Krónur (approximately 1,600 euros) in damages, plus interest and costs. The applicants appealed, but the Supreme Court upheld the judgment made at first instance.

The applicants complain that the judgments entailed an interference with their right to freedom of expression that was not necessary in a democratic society and which had violated their rights under Article 10 (freedom of expression).

## Improta v. Italy (no. 66396/14)

The applicant, Mr Giammarco Improta, is an Italian national who was born in 1969 and lives in Pozzuoli (Italy). The case concerns his inability to exercise his right of contact because of the opposition of his child's mother.

Shortly after his daughter was born on 25 March 2010, Mr Improta separated from the child's mother. She changed the lock at the family home and decided unilaterally that Mr Improta could only see his daughter twice a week for half an hour, with the mother present.

In November 2010 Mr Improta applied to the Naples Youth Court for shared custody of the child and more extensive contact. The Youth Court instructed the revenue police to carry out an inspection to determine the living standards of Mr Improta and the child's mother and ordered an expert report about the quality of their personal relations and their parenting ability. The expert report was also required to indicate the best custody arrangements for the child.

In January 2013 the expert report was filed at the registry. It stated, in particular, that the two parents should be granted joint custody and that the father should be guaranteed the possibility of seeing his daughter without the mother being present.

In a decision of 2 July 2013 the Youth Court awarded custody to both parents jointly, ruled that the child's main place of residence should be with her mother and set out the contact arrangements for the father. Mr Improta appealed, seeking more extensive contact. In a judgment of 19 March 2014 the Naples Court of Appeal upheld the Youth Court's decision. Mr Improta appealed on points of law. The proceedings are still pending before the Court of Cassation.

Relying on Article 8 (right to respect for private and family life), the applicant submits that the domestic courts did not safeguard his right of contact, thus irretrievably undermining his relationship with his daughter.

#### Osipkovs and Others v. Latvia (no. 39210/07)

The applicants in this case are four Latvian nationals and two Latvian companies, who complain that State authorities deprived them of their property. Their claim concerns an area of forest in Jurmala.

In 1999 a court recognised one of the applicants and two other claimants as the owners of the land, on the grounds that they were the heirs of the individual who had owned the land when it had been nationalised in 1940. The court's judgment became final. The applicant who had been a claimant in the case was also the owner and director of one of the applicant companies. This company purchased the land from the three claimants. In a series of subsequent transactions, parts of the land were then sold on to the remaining four applicants in the case.

However, in the meantime the Senate of the Supreme Court had quashed the judgment recognising the original three claimants as the owners, remitting the case to first instance. Though the claimants' ownership was upheld in a second first-instance judgment by the Regional Court, this finding was largely overturned on appeal. The courts found that the individual from whom the claimants had supposedly inherited the land had not in fact owned it at the time of its nationalisation. All of the applicants were therefore stripped of their ownership rights.

In their application to this Court, the applicants rely on Article 1 of Protocol No. 1 (protection of property) to complain that by quashing a final judgment the State authorities had deprived them of their property without the possibility of receiving any compensation. The four individual applicants are Aleksandrs Osipkovs, Vano Razmadze, Mārtiņš Ādminis, and Egits Kraulis, who were born in 1960, 1970, 1974 and 1968 respectively and live in Rīga (Aleksandrs Osipkovs and Vano Razmadze) and Jūrmala (Latvia) (Mārtiņš Ādminis and Egits Kraulis). The two limited liability applicant companies are Balt Invest Group and Bulduru Muiža.

The Court will give its rulings in writing on the following cases, some of which concern issues which have already been submitted to the Court, including excessive length of proceedings.

These rulings can be consulted from the day of their delivery on the Court's online database HUDOC.

They will not appear in the press release issued on that day.

Heeg v. Austria (no. 20324/14)

Stoyanov v. Bulgaria (no. 19557/05)

Bogdan v. Croatia (no. 67077/12)

Kmonicek v. Croatia (no. 52185/14)

Nikola Kovacevic v. Croatia (no. 58411/12)

Tokic v. Croatia (no. 58685/16)

Asatiani and Others v. Georgia (no. 42174/11)

Kvaratskhelia v. Georgia (no. 12309/09)

**Bodoky v. Hungary** (no. 58729/11)

SIA Goren Baltija and Others v. Latvia (nos. 60104/11, 80779/12, 49755/14, and 65662/14)

Bartasevicius v. Lithuania (no. 67441/13)

Bilinskas v. Lithuania (no. 40091/13)

Lavrenov and Others v. Lithuania (no. 15202/11)

Pukelis v. Lithuania (no. 2052/10)

I.D. v. Norway (no. 51374/16)

Buriak v. Poland (no. 73436/14)

Krotla and Rojowski v. Poland (no. 20433/15)

Lazur v. Poland (no. 76129/13)

Plochocki v. Poland (no. 33482/14)

Rainko and Umlawski v. Poland (no. 61645/13)

Rakowski v. Poland (no. 32593/15)

Wach v. Poland (no. 22190/10)

Bokor v. Portugal (no. 52909/15)

Butuc v. Portugal (no. 2582/16)

Molamphy v. Portugal (no. 41099/14)

Patenaude v. Portugal (no. 26986/16)

**Cioban and Others v. Romania** (nos. 18404/15, 54309/15, 54951/15, 58442/15, 8709/16, 15169/16, 15676/16, 16351/16, 16820/16, and 18419/16)

Ciobotaru and Carabet v. Romania (nos. 31335/16 and 31336/16)

Dej Parish of the Romanian Church United with Rome (Greek-Catholic) v. Romania (no. 17193/08)

Iliescu and Others v. Romania (nos. 33090/15, 34709/15, 12195/16, 47349/16, and 49738/16)

**Kovacs-Buian and Others v. Romania** (nos. 68961/14, 39633/15, 43167/15, 44830/15, 52704/15, 52973/15, 55522/15, and 61615/15)

Măgurean and Others v. Romania (nos. 2019/16, 33686/16, and 48638/16)

Preda v. Romania (no. 23191/14)

**Stan and Coandă v. Romania** (nos. 54937/15 and 54954/15)

**Urzica v. Romania** (no. 24587/13)

Vereșan and Ciupercă v. Romania (nos. 61732/14 and 34281/16)

Bachinskaya and Sukhov v. Russia (nos. 22517/09 and 28248/15)

**Biryukov and Others v. Russia** (nos. 36006/11, 37211/11, 53965/12, 53969/12, 55356/12, 74792/12, 76153/12, 77937/12, and 56384/13)

Dayanov and Others v. Russia (no. 9668/10)

**Dudnikov and Others v. Russia** (nos. 63928/13, 70723/13, 71658/13, 75596/13, 77417/13, 33654/14, 12889/15, and 13252/15)

**Feskova and Others v. Russia** (nos. 37849/09, 67525/12, 45681/13, 56904/14, 43318/15, 49660/15, 60187/15, 3331/16, and 4060/16)

**Gashimov and Others v. Russia** (nos. 31408/14, 32432/14, 12927/15, 17262/15, 17957/15, 18035/15, 23523/15, 23890/15, 25301/15, 59787/15, and 59951/15)

Geval and Others v. Russia (nos. 24185/08, 60126/08, 48750/09, and 50583/09)

Gorbatykh v. Russia (no. 4902/08)

Gorbunov and Others v. Russia (nos. 16114/11, 39458/11, and 41698/11)

**Gusev and Others v. Russia** (nos. 28348/13, 63693/14, 53169/15, 58195/15, 22883/16, and 24726/16)

**Kalyakanov and Others v. Russia** (nos. 22872/10, 32203/10, 32209/10, 41192/10, 45844/11, 33684/15, 34832/15, and 37434/15)

Kapantsyan v. Russia (no. 30121/09)

**Kapustin and Others v. Russia** (nos. 58889/10, 70075/10, 51746/11, 75357/11, 11516/12, 13625/12, 16579/12, 51488/14, 28479/15, 37184/15, and 43036/15)

**Kavalerov and Others v. Russia** (nos. 55477/10, 62920/10, 15017/12, 3420/14, 60833/14, 61841/14, 64767/14, and 65467/14)

**Kazakov and Others v. Russia** (nos. 4649/08, 36240/08, 4315/09, 16078/10, 54313/11, 59251/14, 3949/15, and 1672/16)

Kokovikhin v. Russia (no. 61525/14)

Kruchinkin and Malkov v. Russia (nos. 13639/15 and 56874/15)

**Lobzin and Others v. Russia** (nos. 71066/10, 36533/11, 24248/12, 4607/15, 14087/15, 31054/15, 35338/15, 38263/15, and 46820/15)

Maltsev and Others v. Russia (nos. 15822/12, 30398/12, 20325/14, 23697/15, and 25578/16)

**Manuylov and Others v. Russia** (nos. 63346/13, 63990/13, 64053/13, 65405/13, 72742/13, 75470/13, and 77073/13)

Merzlyachenko and Others v. Russia (nos. 60839/13, 63289/13, 63379/13, 63440/13, 63632/13, 63638/13, 80928/13, and 38267/15)

Mishina and Lyubimenko v. Russia (nos. 50996/06 and 31425/10)

**Parshnev and Others v. Russia** (nos. 34916/12, 37473/15, 38231/15, 38260/15, 42875/15, and 54514/15)

Polovinkin and Others v. Russia (nos. 28705/12, 78291/12, and 24584/15)

Potapyeva and Others v. Russia (nos. 10662/08, 16825/08, and 22866/15)

Prokhorov v. Russia (no. 21589/10)

**Samokhvalov and Others v. Russia** (nos. 13065/10, 49632/13, 16145/16, 24723/16, and 25104/16) **Sarbakhtin and Others v. Russia** (nos. 611/15, 9585/15, 30621/15, 35376/15, 39351/15, 45035/15, and 5022/16)

**Serov and Others v. Russia** (nos. 9992/12, 12214/13, 54965/15, 3330/16, 19172/16, and 21267/16) **Shestakov and Others v. Russia** (nos. 78378/13, 33307/14, 33405/14, 33600/14, 37789/14, 38078/14, and 51194/15)

**Suchkov and Others v. Russia** (nos. 6496/14, 8185/14, 9962/14, 10447/14, 11990/14, 17857/14, 21159/14, 22581/14, 23057/14, and 30097/14)

**Tsibakov and Others v. Russia** (nos. 22461/10, 19416/11, 66011/11, 26995/15, 35160/15, and 40325/15)

**Ustinov and Others v. Russia** (nos. 18046/12, 1771/14, 2507/14, 2788/14, 3069/14, 3361/14, 5779/14, 42337/14, 51543/14, and 51955/14)

**Volf and Others v. Russia** (nos. 14666/08, 21091/09, 3230/10, 12905/10, 36163/10, 42970/10, and 45762/13)

**Zaynullin and Others v. Russia** (nos. 7977/09, 8033/09, 10317/09, 11301/09, 13562/09, 14526/09, 21995/09, 53622/09, and 57777/09)

**Zhiltsov and Others v. Russia** (nos. 22258/13, 30686/13, and 43979/13)

Malbasic v. Slovenia (no. 27183/08)

**Altunay v. Turkey** (no. 42950/07)

Basak v. Turkey (no. 26607/07)

Ceken v. Turkey (no. 42957/09)

Gelir and Others v. Turkey (nos. 3573/06, 5985/07, 49503/07, and 50856/07)

Gezer v. Turkey (no. 29040/09)

Öner and Others v. Turkey (nos. 6229/09, 6793/09, and 32206/09)

Türkcan and Hocaoğlu v. Turkey (nos. 44573/08 and 53211/08)

Kurs v. Ukraine (no. 48956/06)

Polyakovy v. Ukraine (no. 77170/12)

Zemlyanskikh and Others v. Ukraine (nos. 49932/11, 2371/13, and 77332/13)

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 <u>www.echr.coe.int</u>. To receive the Court's press releases, please subscribe here: <u>www.echr.coe.int/RSS/en</u> or follow us on Twitter <u>@ECHRpress</u>.

#### **Press contacts**

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

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

Denis Lambert (tel: + 33 3 90 21 41 09)

Inci Ertekin (tel: + 33 3 90 21 55 30)

George Stafford (tel: + 33 3 90 21 41 71)

**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.