EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Press Release
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ECHR 105 (2017)
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Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing 19 judgments and / or decisions on Tuesday 4 April 2017 and 90 judgments and / or decisions on Thursday 6 April 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 (www.echr.coe.int)*

Tuesday 4 April 2017

Muzamba Oyaw v. Belgium (application no. 23707/15)

The applicant, Patrick Muzamba Oyaw, is a Congolese national who was born in 1982 and lives in Namur (Belgium). The case concerns his administrative detention, for the whole duration of which his partner, a Belgian national, was pregnant.

On 26 July 2010 Mr Muzamba Oyaw arrived in Belgium, where he lodged an asylum application and an application for a residence permit as the partner of a Belgian national. Those requests were rejected. He was issued with several expulsion orders, with which he did not comply. On 26 August 2014 he was arrested, and the Aliens' Office ("OE") served him with a fresh expulsion order accompanied by pre-expulsion detention in a designated place, as well as a two-year ban on entering the national territory. Mr Muzamba Oyaw requested an emergency stay of the expulsion order, presenting a medical report mentioning the mental instability of his Belgian partner, who was pregnant with their child, and her need for support. The Aliens' Litigation Council ("CCE") dismissed that request.

On 24 October 2014 the OE extended Mr Muzamba Oyaw's detention by two months. His partner gave birth to their child on 13 November 2014, the date on which Mr Muzamba Oyaw was released. On 21 November he lodged an application for a residence permit as the parent of a Belgian minor. On 23 March 2015 the OE decided not to consider that application on the grounds that the applicant had been banned from Belgian territory for two years. This ban had to be challenged abroad. An application to set the order aside is pending before the CCE.

Relying on Article 5 § 1 of the Convention (right to liberty and security) of the European Convention on Human Rights, Mr Muzamba Oyaw submits that his detention by the Belgian authorities in a holding centre for illegal immigrants was unlawful and arbitrary. Relying on Article 8 (right to respect for private and family life) of the European Convention, he also complains that his pre-expulsion administrative detention infringed his right to respect for his family and private life.

Thimothawes v. Belgium (no. 39061/11)

The applicant, Waleed Nasser Thimothawes, is an Egyptian national who was born in 1984 and lives in Bruges (Belgium). The case concerns his five-month detention at the Belgian border.

On 1 February 2011 Mr Thimothawes arrived from Turkey at the Belgian border. He immediately lodged an asylum application, which was rejected on 17 February 2011 by the Commissioner General for Refugees and Stateless Persons.

Meanwhile Mr Thimothawes was served with a refusal-of-entry decision, accompanied by expulsion (*refoulement*) and detention in a designated place close to the border. On 1 March 2011 he lodged

an application for release from detention, which was declared ill-founded by both the Brussels Regional Court and the Indictment Division of the Brussels Court of Appeal.

On 26 March 2011, after having refused to be repatriated to Turkey, a second decision was taken to detain him in a designated place. Mr Thimothawes reapplied for release, which application was once again dismissed by the Indictment Division of the Brussels Court of Appeal. On 5 May 2011, before he could even lodge an appeal with the Court of Cassation, the Aliens' Office issued a third refusal-of-entry decision, accompanied by expulsion and detention in a designated holding centre. One last application for release was dismissed at first and second instances. Mr Thimothawes was released on 4 July 2011 on expiry of the maximum legal period of detention. Concurrently, on 5 May 2011, Mr Thimothawes had lodged a second application for asylum based on new documents relating to his mental health, which had been rejected by decision of the Commissioner General for Refugees and Stateless Persons, that decision having been upheld by the Aliens' Litigation Council.

The applicant submitted that his detention as an asylum-seeker had been contrary to Article 5 § 1 (f) (right to liberty and security) of the Convention.

Borojević and Others v. Croatia (no. 70273/11)

The applicants are a family of Croatian nationals who live in Sisak (Croatia). The case concerns the killing of their husband and father, Stevo Borojević, in October 1991 in the Sisak area during the Croatian Homeland War[1].

Immediately after Stevo Borojević's body was found on the bank of a river, an inspection of the crime scene was carried out. An autopsy was carried out the next day which showed that he had been stabbed to death. Shortly afterwards an investigation was instigated against a person or persons unknown and the victim's wife was interviewed. She and her daughter were interviewed again some years later, in 2002, as were a number of other witnesses, including family and neighbours. They named potential suspects, but could not identify any perpetrators. This investigation remains open.

Another investigation, opened some time later, resulted in the indictment and conviction in December 2013 of the former deputy of the Sisak police for crimes carried out by the unit of which he was in command between July 1991 and June 1992, namely the killings of persons of Serbian origin, including the applicants' relative. He was notably convicted for failing to undertake adequate measures to prevent the killings and was ultimately sentenced to ten years' imprisonment.

Relying in particular on Article 2 (right to life), the applicant family complain about the inadequacy of the investigation into their relative's death as none of the direct perpetrators have thus far been indicted, only those who had been in command. They further allege that their relative had been killed because of his Serbian ethnic origin.

Lovrić v. Croatia (no. 38458/15)

The applicant, Zvonimir Lovrić, is a Croatian national who lives in Čaglin (Croatia). The case concerns his expulsion from a hunting association and his inability to contest the decision in court.

A member of a hunting association based in Čaglin, Mr Lovrić had disciplinary proceedings brought against him in 2012 for reporting another member of the association to the police. The association's executive board considered this a serious breach of his duties as a member. The executive board then referred the matter for decision at a general meeting; at two separate sessions it was decided to expel Mr Lovrić. No reasons were given at either session. Mr Lovrić attempted to contest the decision to expel him before the judicial authorities, without success. His claim that the decision was in breach of the association's statute was dismissed by the courts – ultimately in 2014 by the

[1] The Croatian War of Independence from 1991 to 1995.

Supreme Court – as they found that the decision to expel a member concerned the association's internal affairs, which could not be reviewed by the courts.

Mr Lovrić complains that he was completely deprived of access to court to contest the decision to expel him from the hunting association, in breach of Article 6 § 1.

Matanović v. Croatia (no. 2742/12)

The case concerns a complaint about entrapment, secret surveillance measures and the non-disclosure and use of evidence thus obtained.

The applicant, Josip Matanović, is a Croatian national who was born in 1949 and is currently serving an 11-year prison sentence in Lepoglava (Croatia) for corruption offences. The allegations of corruption against Mr Matanović, a vice-president of the Croatian Privatisation Fund, were first made in April 2007 by J.K., the representative of an investment project in the Zadar region. J.K., who had contacted Mr Matanović as an official of the Fund, notably reported to the State Attorney's Office that Mr Matanović had requested a bribe in order to ensure the realisation of his project. The Attorney's office then asked an investigating judge for authorisation to use secret surveillance measures against Mr Matanović, including tapping of his telephone, covert surveillance and the use of J.K. as an informant. The judge allowed the request, indicating in his order that the investigation into the offences by other means would either be impossible or extremely difficult. Following the covert operation, Mr Matanović was arrested and detained, then indicted in February 2008. He was convicted in May 2009 on several counts of taking bribes, facilitating bribe-taking and abusing his power and authority to support certain investment projects and privatisations. The first-instance court relied extensively on the secret surveillance recordings and in particular on those concerning the first meeting arranged after J.K. had agreed to become an informant. At this meeting Mr Matanović had explained to J.K. how much was expected in payment and that it was usual practice to remunerate for lobbying. Mr Matanović appealed to the Supreme Court, complaining that the secret surveillance measures had not been lawful, that he had been entrapped and that relevant evidence had not been disclosed to the defence. However, the Supreme Court, finding these complaints ill-founded, upheld his conviction of bribe-taking and abuse of power and authority. The Constitutional Court subsequently endorsed these findings.

Relying on Article 8 (right to respect for private and family life, the home and correspondence), Mr Matanović alleges that the secret surveillance used against him was unlawful. He also alleges under Article 6 § 1 (right to a fair trial and right to adequate time and facilities for preparation of defence) that his conviction was unfair as he had been incited to commit a crime by J.K who had acted as an *agent provocateur* and that certain evidence – copies of the secret surveillance recordings – had not been disclosed, despite his and his defence lawyers' multiple requests. He also makes a complaint under Article 7 § 1 (no punishment without law).

Thuo v. Cyprus (no. 3869/07)

The applicant, David William Thuo, is a Kenyan national who was born in 1978 and lives in Nairobi (Kenya). The case concerns his complaint about being ill-treated when deported from Cyprus to Kenya as well as about the conditions of his detention pending his deportation.

In 2005 Mr Thuo served a sentence in Cyprus for attempting to travel to London from Larnaca Airport on a forged passport. When released in November 2005, he was immediately re-arrested and placed in immigration detention, in Nicosia Central Prisons, pending his deportation. He was deported about 16 months later, on 9 March 2007, his application for asylum having been rejected.

Mr Thuo alleges that he was ill-treated throughout the deportation process. He submits in particular that immigration officers beat him in Nicosia Central Prison before transporting him to the airport; that he was then beaten and gagged at the airport by men in military uniform, assisted by immigration officers, by them stuffing brown paper into his mouth, which they sealed with airline

tape and then secured with bandages wrapped around his head and neck; and, finally, that he remained in this state until the aircraft was near Milan, the first leg of his journey back to Kenya.

Once in Kenya, Mr Thuo lodged complaints in December 2007 and February 2008 with the Cypriot authorities, describing in detail the alleged ill-treatment and stating that he could identify three of the officers who had ill-treated him. An official investigation was launched in July 2009 and statements were taken from Mr Thuo and the accused police officers. Mr Thuo, who returned to Cyprus for the investigation, repeated his allegations, and provided the authorities with a medical certificate issued by a public hospital in Nairobi dated 9 June 2010 according to which he had visited the hospital the day after his deportation and attesting to swelling and bruising to his face and wrists. The accused officers, who denied any ill-treatment, submitted that – although they had not recorded the incident – they had had to intervene at the airport and use bandages to stop Mr Thuo from hurting himself. At the end of the investigation in July 2010, the authorities, accepting the officers' testimony that the use of force had been necessary, concluded that Mr Thuo had lied and/or used various stratagems for financial gain or in order to stay in Cyprus. The Attorney General subsequently endorsed these findings and, as a result, neither criminal nor disciplinary action has ever been taken against the accused officers.

Relying on Article 3 (prohibition of inhuman or degrading treatment), Mr Thuo alleges that he was ill-treated during his deportation and that the related investigation was ineffective. He makes a further allegation under Article 3, complaining about his conditions of detention pending deportation for 16 months in an overcrowded police cell which was only designed for short periods of detention.

Güzelyurtlu and Others v. Cyprus and Turkey (no. 36925/07)

The applicants are all relatives of Elmas, Zerrin and Eylül Güzelyurtlu, who were shot dead in the Cypriot-Government-controlled area of Cyprus on 15 January 2005. The killers fled back to the "Turkish Republic of Northern Cyprus"(the "TRNC"). Parallel investigations into the murders were conducted by the authorities of the Cypriot Government and the Turkish Government, including those of the "TRNC". On the strength of the evidence gathered during their investigation, the authorities of the Republic of Cyprus sought the extradition of the suspects who were within Turkey's jurisdiction (either in the "TRNC" or in mainland Turkey) with a view to their trial. The "TRNC" authorities insisted that the case file containing the evidence against the suspects be handed over so that they could conduct a prosecution. The Cypriot authorities refused.

Relying on Article 2 (right to life), the applicants complain that both the Cypriot and Turkish authorities (including those of the "TRNC") have failed to conduct an effective investigation into the killing of their relatives. They further allege that as a result of the refusal of the respondent States to co-operate the killers have not faced justice. Relying on Article 13 (right to an effective remedy) in conjunction with Article 2, they complain of a lack of an effective remedy in respect of their Article 2 complaint.

The applicants, Mehmet Güzelyurtlu, Ayça Güzelyurtlu, Deniz Erdinch, Emine Akerson, Fezile Kirralar, Meryem Özfirat and Muzaffer Özfirat, are Cypriot nationals of Turkish Cypriot origin who were born in 1978, 1976, 1980, 1962, 1956, 1933, and 1933 respectively and live in the "Turkish Republic of Northern Cyprus" (the "TRNC") (Mehmet Güzelyurtlu, Fezile Kirralar, Meryem Özfirat, and Muzaffer Özfirat) and in the United Kingdom (Ayça Güzelyurtlu, Deniz Erdinch, and Emine Akerson).

V.K. v. Russia (no. 9139/08)

The applicant, V. K., is a Russian national who was born in 1946 and lives in Saint Petersburg (Russia). The case concerns his involuntary placement in a psychiatric hospital.

On 3 April 2007 V. K., who has a history of mental illness, was admitted to a psychiatric hospital without his consent. The grounds for his admission were repeated, groundless telephone calls to the

police and to the emergency medical services as well as threatening behaviour to ambulance staff. The hospital diagnosed him with a mental disorder, and applied for a court order for his involuntary placement. After a hearing on the case on 9 April 2007, the first-instance court, having heard the doctors' and prosecutor's opinions as well as V.K.'s court-appointed lawyer – who considered inpatient treatment to be reasonable, granted the application. V.K. appealed, complaining that his lawyer had failed to represent him properly as she had maintained a conflicting position to his. The appeal was summarily dismissed in August 2007. In the meantime, V.K. had been discharged from hospital after his mental health improved.

Relying on Article 5 § 1 (e) (right to liberty and security), V.K. complains about his involuntary admission to hospital, and in particular about ineffective legal representation during the related court proceedings.

Milisavljević v. Serbia (no. 50123/06)

The applicant, Ljiljana Milisavljević, is a Serbian national who was born in 1966 and lives in Belgrade. She was a journalist for *Politika*, a major Serbian daily newspaper. The case concerns her complaint about her conviction for insult following an article she wrote about Nataša Kandić, a well-known human rights activist.

The article was published in *Politika* in September 2003 at a time when there was a heated public debate on the Serbian authorities' cooperation with the International Criminal Tribunal for the former Yugoslavia (the "ICTY"). There was also a high degree of animosity toward Ms Kandić because of her involvement in investigating crimes committed by the Serbian forces during the armed conflicts in the former Yugoslavia and because she was one of the most vocal advocates for full cooperation with the ICTY. Following the publication, Ms Kandić started a private prosecution against Ms Milisavljević claiming that it had been written to portray her as a traitor to Serbia. The domestic courts ultimately found that Ms Milisavljević had committed the criminal offence of insult and gave her a judicial warning. The courts held that by failing to put one particular sentence in the article, namely "Ms Kandić [had] been called a witch and a prostitute", in quotation marks, she had tacitly endorsed the words as her own.

Relying on Article 10 (freedom of expression), Ms Milisavljević complains about her criminal conviction, and alleges that it had resulted in her subsequent dismissal from *Politika*.

Tek Gıda İş Sendikası v. Turkey (no. 35009/05)

The applicant trade union, Tek Gıda İş Sendikası, based in Istanbul, was founded in 1955. At the relevant time it represented employees working in the food processing industry.

The case concerns the judicial authorities' refusal to recognise the trade union's representation in the Tukaş Gıda Sanayi ve Ticaret company and the dismissal of employees of the company who had refused to cancel their membership of the trade union at their employer's request.

In 2003 a number of employees in three factories belonging to the Tukaş Gıda Sanayi ve Ticaret company joined the applicant trade union. In February 2004 that trade union asked the Ministry of Labour and Social Security to establish its representation so that it could conclude, on behalf of its members, collective labour agreements with the company in question. By decision of 26 May 2004 the Ministry acceded to that request and validated the trade union's representation.

The Tukaş company lodged an application to set aside that decision with the 3rd Labour Court of İzmir. By judgment of 2 December 2004 the court, hearing and determining on the basis of an expert report, acceded to that application on the grounds that the trade union had too few members to be considered sufficiently representative. The trade union appealed to the Court of Cassation, which dismissed its appeal on points of law on 22 March 2005.

Meanwhile, the Tukaş company had invited employees who were members of that trade union to cancel their membership on pain of dismissal; forty employees refused and were dismissed on redundancies or for professional shortcomings. On different dates the employees in question appealed to the İzmir Labour Courts against their wrongful dismissal, demanding their reinstatement in the company. By various judgments delivered between July and December 2004, the courts ordered the Tukaş company to reinstate the employees whom it had dismissed, or else to pay them compensation for wrongful dismissal. The Court of Cassation upheld those judgments. None of the employees were reinstated. The Tukaş company paid them the compensation ordered by the courts.

Relying on Article 11 (freedom of assembly and association), the applicant trade union complains, first of all, about the domestic courts' refusal to recognise its representation as a precondition for collective bargaining within a company, which the union submits was a result of an erroneous calculation of the number of union members on the staff of Tukaş, and secondly, about the fact that the relevant legislation and the courts had not prevented the company from eradicating trade unions from its workplaces by means of wrongful dismissals.

Relying on Article 6 (right to a fair trial), the trade union complains of erroneous application of domestic legislation following an expert report finding that it was insufficiently representative, and of the excessive length of the proceedings.

Yaşar Holding A.Ş. v. Turkey (no. 48642/07)

The applicant company, Yaşar Holding A.Ş., is a limited liability company established under Turkish law. At the relevant time it was the majority shareholder in Türkiye Tütüncüler Bankası Yaşarbank A.Ş. ("Yaşarbank"), a private bank founded in 1924.

The case concerns the transfer of management of Yaşarbank to the Deposit Guarantee Fund and the transfer of the bank's shares to that Fund.

Between 1994 and 1999, Yaşarbank was audited several times; the ensuing reports mentioned its financial difficulties and recommended a series of measures to improve and consolidate its situation. On 13 December 1999 an auditor submitted a report on the situation of Yaşarbank at 30 September 1999, noting that continuing its banking activities would present a risk to the rights and interest of investors and savers and to the reliability and stability of the financial system; she considered that the bank's financial situation could no longer be consolidated.

On 21 December 1999 the Council of Ministers decided to transfer the management of Yaşarbank and all its share options to the Guarantee Fund (apart from dividends). It further ordered the transfer of ownership of the shares to the Fund. On the date of the transfer 48.48 % of overall shares in Yaşarbank were held by the applicant company.

On 4 February 2000 Yaşarbank's shareholding companies, including the applicant company, applied to the Council of State to set aside the Council of Ministers' decision on the grounds that transferring ownership of the shares to the Fund, without valuable consideration, infringed their ownership rights. On 27 February 2002 the Council of State dismissed that application, finding that the bank had first of all been placed under close supervision on account of the serious decline in its financial situation, but that it had not properly implemented the measures indicated in the various audit reports and that its deficit had increased exponentially before its transfer to the Fund. The Plenary Administrative Divisions of the Council of State upheld that judgment on 29 April 2004.

Relying on Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicant company complains about the transfer of management of Yaşarbank and of its shares to the Guarantee Fund. Relying on Article 6 § 1 (right to a fair trial), it also complains about the failure of the Council of State to apply to the Constitutional Court and the absence of an independent expert opinion before the case was heard on the merits.

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.

Gošović v. Croatia (no. 37006/13)
Antoshkin v. Russia (no. 46686/06)
Sadkova and Others v. Russia (nos. 17229/06, 26346/06, 40526/06, 41729/08, 41756/08, 41759/08, 41761/08, 41768/08, 41773/08, 41842/08, 41854/08 and 41861/08)
Ković v. Serbia (nos. 39611/08, 50121/13, and 2490/14)
Pantović and Pavlović v. Serbia (nos. 19781/14 and 19978/14)
Živković v. Serbia (no. 318/15)
Ellis v. Turkey (no. 1065/06)
Salğın v. Turkey (no. 63086/12)

Thursday 6 April 2017

Aneva and Others v. Bulgaria (nos. 66997/13, 77760/14 and 50240/15)

The case concerns three different applications where a parent has been unable to have contact with their child, despite the existence of a court judgment granting the parent custody or visiting rights.

The first applicant, Vladimira Aneva (born 1981), is the mother of the second applicant, Mihail Ivanov (born 2002). At the start of 2005, after Mihail Ivanov made a visit to his father, the father drove away with him instead of returning him to Ms Aneva's home. The father has repeatedly refused to allow Ms Aneva to spend time with the child – despite this being ordered by the courts in the couple's divorce proceedings. The third applicant, Ms Kicheva (born 1972), was also granted custody of her son after she and the father separated. However, in September 2011 the father of the child refused to return him after a scheduled meeting, and since then Ms Kicheva has only seen her son on a few occasions (and always in an institutional setting). The fourth applicant, Stanimir Drumev (born 1973), was granted contact rights with his child consisting of two weekends per month and one full month in the summer holidays. However, he claims that in June 2012 his ex-wife started preventing him from having contact with his child.

Relying on Article 8 (right to respect for private and family life), Ms Aneva, Ms Kicheva and Mr Drumev complain about the prolonged impossibility to have contact with their children, despite custody and/or contact being ordered by the courts in final judgments. Ms Aneva makes the same complaint on behalf of her son, the second applicant, but to the effect of him not being provided with the opportunity and conditions to have contact with his mother. All of the applicants rely on Article 13 (right to an effective remedy) in conjunction with Article 8, to complain that that they did not have access to an effective remedy in connection with the alleged violation of their right to respect for family life.

Just Satisfaction

Žáková v. the Czech Republic (no. 2000/09)

The applicant, Sylvie Žáková, is a Czech national who was born in 1938 and lives in Landshut, Germany. She emigrated in 1968 from the then Czechoslovakia and in the 1970s all her property there – consisting in particular of one plot of land in the cadastral area of Třebíč – was seized by the communist regime. In 1991 the decisions on the seizure were declared null and void and Ms Žáková started renting the land to a municipality. Relying on Article 1 of Protocol No. 1 (protection of property), she complained that in 1997 the Land Register entered the municipality as the sole owner of the property and, as a result, she effectively lost the ownership to the land. According to

Ms Žáková, she had been registered as the sole owner of the land without interruption from 1960 until 1997. The Government maintained that she had lost ownership of the land in a decision of 1971 which had found her guilty of the offence of fleeing Czechoslovakia and that, after that, she had been registered as owner only as a result of a mistake.

In its judgment on the merits of 3 October 2013 the Court found a violation of Article 1 of Protocol No. 1. It further held that the question of just satisfaction was not ready for decision and reserved it for examination at a later date.

The Court will deal with this question in its judgment of 4 April 2017.

A.P. and Others v. France (nos. 79885/12, 52471/13 and 52596/13)

The three applicants are French nationals. The first applicant, A. P., was born in 1983 and lives in Paris (France). The second applicant, E. Garçon, was born in 1958 and lives in Perreux-sur-Marne (France). The third applicant, S. Nicot, was born in 1952 and lives in Essey-les-Nancy (France). The case concerns three transgender persons of French nationality who wished to change the entries on their sex and forenames on their birth certificates, and were not allowed to do so by the courts in the respondent State. The applicants submitted, in particular, that the fact of making recognition of sexual identity conditional upon undergoing an operation involving a high probability of sterility infringed their right to respect for their private life.

Relying, in particular, on Article 8 (right to respect for private life), A. P., E. Garçon and S. Nicot complain that the rectification of the entry on their sex on their birth certificates was made conditional upon the irreversibility of the transformation of their appearance. E. Garçon further complains that the condition of proving the transsexual syndrome infringes the human dignity of those concerned. Lastly, A.P. complains that the medical examinations ordered by the domestic courts amount, at least potentially, to degrading treatment.

Klein and Others v. Germany (nos. 10138/11, 16687/11, 25359/11 and 28919/11)

The applicants, Jörg Max Klein, Fritz Nussbaum, Philip Redeker and Heike Redeker, and Uta Gloeckner, were born in 1964, 1935, 1963, 1965, and 1963 respectively and live in Heidelberg, Sulzbach-Rosenberg, Gera, and Nuremberg (Germany).

The case concerns applications by five German nationals about the levying of church taxes or special church fees. Under German law, some Churches and religious societies have the status of public-law entities, and are entitled to levy a church tax and/or fee on their members. The applicants rely on Article 9 (freedom of religion) to complain that, when such taxes or fees were calculated and levied on the basis of the joint income of both the applicant and their spouse, it violated their right to freedom of religion. In particular, they complain variously of being obliged to pay for their spouse's church fee when they themselves were not a member of the church; of requiring the financial assistance of their spouse to pay their church fee, making them dependant on their spouse for their freedom of religion; and of being obliged to pay an unfairly high church tax. The applicants also rely on Article 14 (prohibition of discrimination) in conjunction with Article 9 to complain that the taxes or fees had been discriminatory: either on the basis that there was a difference in treatment between couples in their own situation and couples with different religious affiliations; or on the basis that the fees unfairly discriminated against women.

Vasiliadou v. Greece (no. 32884/09)

The applicant, Despina Vasiliadou, is a Greek national who was born in 1965 and lives in Thessaloniki (Greece).

The case concerns Ms Vasiliadou's complaint about the authorities' delay in complying with a judgment delivered by the Administrative Court of Appeal in her favour concerning the purchase of a plot of land.

On 29 January 1991 Ms Vasiliadou applied to the Expropriation Board of Khalkidhiki Prefecture with a view to purchasing a plot of land in Nea Flogita for gardening purposes. Her application was dismissed twice on the grounds that she did not live in Nea Flogita. On 13 February 1998 Ms Vasiliadou unsuccessfully appealed to the Thessaloniki Administrative Court against those decisions. She subsequently lodged an appeal with the Thessaloniki Administrative Court of Appeal, which delivered a judgment on 12 January 2004 setting aside the Expropriation Board's decision and referring the case back to that Board, on the grounds that Ms Vasiliadou met all the legal criteria and that the Board should have assessed her application together with all the other applications before it.

On 30 December 2004 the Expropriation Board received the judgment of the Administrative Court of Appeal and Ms Vasiliadou's request for a settlement of the case. On 23 August 2006 Khalkidhiki Prefecture informed Ms Vasiliadou that her request could not be met since there was no land available. On 8 December 2008, having sent a letter of complaint to the Expropriation Board, Ms Vasiliadou applied to the three-judge committee of the Council of State responsible for supervising the proper execution by the authorities of judgments delivered by the administrative courts. That Council of State committee considered that application on 11 February 2010; it found that the Expropriation Board had refused to comply with the judgment of the Administrative Court of Appeal for five years without valid reason, and gave Khalkidhiki Prefecture two months to take the requisite action.

By decision of 20 October 2010 the Board agreed to sell a plot of land to Ms Vasiliadou, pointing out that it was the only plot available in Nea Flogita.

Relying on Article 6 § 1 (right of access to a tribunal), Ms Vasiliadou complains of the authorities' delay in complying with the Administrative Court of Appeal's judgment of 12 January 2004.

Karajanov v. 'the former Yugoslav Republic of Macedonia' (no. 2229/15)

The applicant, Petar Karajanov, is a Macedonian national who was born in 1936 and lives in Skopje. The case concerns lustration proceedings brought against him. These are proceedings aimed at exposing persons who had worked for or collaborated with the State's security services during the communist period.

In May 2013 a lustration commission established that Mr Karajanov, a former high-ranking official, had collaborated with State security bodies in 1962 and 1963, as he had provided information about his family and a colleague. It based its decision on the 2012 Lustration Act. The decision was immediately published on the commission's website and provided personal information on Mr Karajanov.

Mr Karajanov contested this decision before the administrative courts, submitting written evidence to show that there had been a mistake in identity and challenging the authenticity of certain documents in the file against him. His arguments were rejected by the courts, ultimately by the Higher Administrative Court in March 2014, which accepted the facts as established by the commission and the reasons given in its decision.

Relying on Article 6 § 1 (right to a fair hearing), Mr Karajanov alleges that the proceedings against him were unfair. He notably alleges that they had not been adversarial, given the authorities' refusal to consider evidence he had proposed, that there had been no oral hearing at any stage of the proceedings and that the authorities had failed to provide sufficient reasons for their decisions. Further relying on Article 6 § 2 (presumption of innocence) and Article 8 (right to respect for private and family life), he complains about the commission's publication of the decision against him on its website before it had become final and the damaging effects of this on his reputation. He also complains under Article 13 (right to an effective remedy).

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Bayramov v. Azerbaijan (nos. 19150/13 and 52022/13)
Khalilova and Ayyubzade v. Azerbaijan (nos. 65910/14 and 73587/14)
Mehtiyev and Others v. Azerbaijan (nos. 20589/13, 21219/13, 33164/13, 33593/13, 52270/13, 65308/13, 26424/14 and 26994/14)
Imsirovic v. Bosnia and Herzegovina (no. 59298/16)
Knezevic v. Bosnia and Herzegovina (no. 15663/12)
Rebrinovic v. Bosnia and Herzegovina (no. 21148/16)
Basmenkova v. Bulgaria (no. 63391/13)
Cosic v. Croatia (no. 68879/14)
Kobza and Others v. Hungary (nos. 48/13, 21619/13, 30286/13 and 64262/13)
Neubrand v. Hungary (no. 24126/11)
Alfarano v. Italy (no. 75895/13)
Battista and Others v. Italy (no. 22045/14)
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