



## Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing 12 judgments on Tuesday 26 June 2018 and 47 judgments and / or decisions on Thursday 28 June 2018.

*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](http://www.echr.coe.int))*

### Tuesday 26 June 2018

#### [Lakatos v. Hungary \(application no. 21786/15\)](#)

The applicant, Péter Lakatos, is a Hungarian national who was born in 1986 and lives in Gyál (Hungary).

The case concerns the applicant's complaint that he was held in pre-trial detention for too long without good legal reason.

Mr Lakatos was remanded in custody in February 2011 on suspicion of aggravated murder as he was suspected of having poisoned the victim. He was subsequently kept in detention until his conviction by the trial court in October 2014.

The domestic courts cited the possibility of his absconding or his intimidating witnesses as the main reasons for holding him in detention rather than releasing him under house arrest. To justify those findings, they noted that his financial situation was unstable, that he had no settled address and that he faced a severe punishment if found guilty.

In 2013, the Budapest High Court twice ordered his release from pre-trial detention, but the Budapest Court of Appeal overturned both decisions. He was eventually sentenced to 18 years' imprisonment after being found guilty of aggravated murder.

Relying on Article 5 § 3 (right to liberty and security / entitlement to trial within a reasonable time or to release pending trial) of the European Convention on Human Rights, the applicant complains that his pre-trial detention was repeatedly extended without a reasonable suspicion against him, with the courts applying formulaic reasoning and failing to take account of his personal circumstances. His detention had also been unreasonably long.

#### [D.R. v. Lithuania \(no. 691/15\)](#)

The applicant, Ms D.R., is a Lithuanian national who was born in 1958 and lives in the Tauragė region (Lithuania). She has a history of mental illness.

The case concerns her complaint that she was taken for a psychiatric assessment and committed to a psychiatric hospital for one year against her will.

Proceedings were brought against her in 2013 for spraying a local teenager with tear gas. Given her medical history, the courts ordered a psychiatric assessment. The police enforced this order in April 2014. They drove her to a psychiatric centre in Klaipėda, having to handcuff her because she had struggled to get away. She was examined by two psychiatrists who concluded that she had a chronic mental disorder and recommended that she be admitted to a psychiatric hospital for compulsory inpatient treatment.

Referring to this psychiatric assessment in a judgment of July 2014, the Tauragė District Court found that the applicant could not be held criminally responsible for the tear gas incident and ordered her committal to a psychiatric hospital. The applicant appealed, complaining that the court had not heard her in person, had not ordered a fresh psychiatric assessment, despite the fact that she had been voluntarily undergoing outpatient treatment since June 2014, and had not assessed whether she posed a danger to society. She also complained about the police having taken her for psychiatric assessment without her consent. Her appeal was dismissed, the regional court essentially referring to the psychiatric assessment and finding that the applicant could not understand the danger posed by her medical condition or the need for treatment.

She was subsequently hospitalised for one year from November 2014.

The applicant makes two complaints under Article 5 § 1 (right to liberty and security) of the European Convention. First, she complains that the police unlawfully deprived her of her liberty when taking her for the psychiatric assessment, arguing that she had not seen the court order and had no idea of the reasons for it. Secondly, she alleges that her committal to a psychiatric hospital was also unlawful, in particular because the domestic courts had not examined her in person.

#### [Mocanu and Others v. the Republic of Moldova \(no. 8141/07\)](#)

The applicants, Victor Mocanu, Pavel Răducanu and Semion Mititelu, are Moldovan nationals who were born in 1951, 1935 and 1961 respectively. They were living in Sângera (Republic of Moldova) at the relevant time. Mr Mocanu and Mr Răducanu died in 2008 and 2013 respectively, and their children – Valentin Mocanu and Vera Braghiș respectively – expressed the wish to pursue the proceedings.

The case concerns the occupation by the State of agricultural land belonging to the applicants with a view to building a section of railway line that would run across Sângera.

Relying on Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicants allege that the statutory procedure under the Expropriation Act was not complied with. Relying also on Article 13 of the Convention (right to an effective remedy), taken in conjunction with Article 1 of Protocol No. 1 to the Convention, they complain that they did not have an effective remedy.

#### [KIPS DOO and Drekalović v. Montenegro \(no. 28766/06\)](#)

The applicants are KIPS DOO, a company based in Podgorica, and its founder and principal owner, Risto Drekalović, a Montenegrin national, who was born in 1952 and lives in Podgorica.

The case concerns the authorities' refusal to issue the applicants a building permit for a shopping centre.

In 1998 KIPS DOO obtained the right to use four plots of land on which it planned to build a shopping centre. Their request for a building permit was refused in 2006 because they had failed to meet two requirements, namely they had to buy the plot of land next to its own land under a revised urban plan and to pay the communal charges.

The applicants had earlier made a request to the local authorities to buy the adjacent plot of land and then, on not receiving a reply, had lodged an administrative appeal before the courts in 2005. The appeal was however dismissed because changes to urban planning were ongoing. The applicants then instituted an administrative dispute which is apparently still pending.

They had also requested that the relevant authorities calculate the communal charges for their plot of land. The request was refused because a construction ban was in force as long as urban planning changes were under way and the applicants had no building permit. In the ensuing judicial review proceedings, the commercial courts ruled in the applicants favour in 2006 and the authorities

calculated the charges in 2008. By that time, however, the request for the building permit had been rejected due to non-payment of the charges.

Further proceedings for a building permit are currently still pending.

Relying in particular on Article 1 of Protocol No. 1 (protection of property), the applicants complain about not being issued with a building permit in the first set of proceedings. They also complain under Article 6 § 1 (right to a fair hearing within a reasonable time) and Article 13 (right to an effective remedy) about the length of the administrative proceedings to buy the adjacent plot of land and of the proceedings to enforce the commercial court judgment, as well as the lack of domestic remedies in that regard.

### [Pereira Cruz and Others v. Portugal \(nos. 56396/12, 57186/13, 52757/13, and 68115/13\)](#)

The applicants, Mr Carlos Pereira Cruz, Mr João Alberto Ferreira Diniz, Mr Jorge Marques Leitão Ritto and Mr Manuel José Abrantes are Portuguese nationals who were born in 1942, 1954, 1936 and 1954 and live in Alcabideche, Lisbon, Cascais and Massamá (Portugal) respectively. The case concerns a paedophile ring in the Casa Pia, a public institution responsible for the education of children from deprived backgrounds.

At the relevant time Mr Pereira Cruz was a television producer and one of the most popular presenters in Portugal; Mr João Alberto Ferreira Diniz was a doctor in Lisbon; Mr Jorge Marques Leitão Ritto was a retired Portuguese ambassador and Mr Manuel José Abrantes was chairman of the institution Casa Pia in Lisbon<sup>1</sup> (“the Casa Pia”) after having been deputy chairman for five years.

In 2002 the *Expresso*, a Portuguese national weekly, denounced the existence of a paedophile ring in the Casa Pia. Following a number of press articles, a criminal investigation was instituted against 10 people, including the applicants and CS, the Casa Pia’s chauffeur and linchpin of the ring.

The investigation was very thorough. It consisted of forensic medical examinations, psychological tests and taking evidence from the victims, co-defendants and 600 witnesses.

The trial began in the Lisbon Court on 25 November 2004. The applicants submitted that the case against them had been collectively fabricated. Following oral submissions in 2009, the court amended a number of the charges. The amendments concerned the place or date of the alleged offences.

On 3 September 2010 the court gave judgment, dismissing the allegation of fabrication. The applicants were all given prison sentences ranging from approximately 5 to 7 years. The Lisbon Court of Appeal upheld the judgment.

On 23 February 2012 the Lisbon Court of Appeal remitted part of the case – concerning the offences allegedly committed by Mr Pereira Cruz in the town of Elvas – to the Lisbon Court, on account of charges against him being amended without his being able to make submissions in that regard. The applicants unsuccessfully lodged various appeals on grounds of unconstitutionality with the Constitutional Court.

On 24 April 2014 the Lisbon Court of Appeal gave judgment in respect of the part of the case concerning the offences allegedly committed in Elvas.

The applicants, after having started serving their sentences, have either been released on licence or are under house arrest on health grounds.

<sup>1</sup>. The Casa Pia, located in Lisbon, is a public institution responsible for running schools, training centres and boarding schools for children and teenagers from deprived backgrounds. At the relevant time there were approximately 4,500 pupils there, of whom 500 were boarding.

Relying on Articles 6 §§ 1 and 3 (right to a fair trial/right to examine witnesses), the applicants complain that the domestic courts denied them their right to a fair trial. They also complain that the length of the proceedings was excessive.

#### [Gîrleanu v. Romania \(no. 50376/09\)](#)

The case concerns the arrest and conviction of a journalist for possessing and trying to verify classified information on national security.

The applicant, Marian Gîrleanu, is a Romanian national who was born in 1963 and lives in Focșani (Romania). He was a local correspondent for the national daily newspaper *România Liberă*. His field of work included investigations into the armed forces and police.

In February 2006 the prosecuting authorities instituted a criminal investigation against Mr Gîrleanu concerning leaked secret documents belonging to a Romanian military unit based in Afghanistan. The documents had originally been leaked in 2004 and had given rise to much debate in the media, including articles in *România Liberă*, and an internal inquiry within the Ministry of Defence.

The investigation established that, in July 2005, a journalist specialising in the military had given Mr Gîrleanu a copy of a CD of the leaked documents. He had then verified the information with the Romanian Armed Forces and intelligence services and shared it with two people he believed to be former police officers and other journalists.

During the investigation, his telephone was tapped, he was arrested and the hard drive of his computer confiscated. He was released after two days' police custody.

In August 2007 the prosecuting authorities found him guilty of gathering and sharing secret information, in violation of the legal framework on national security, and ordered him to pay a 800 Romanian lei (approximately 240 euro) fine and judicial costs.

Mr Gîrleanu complained to the courts about the decision against him, without success. The courts found in particular that he was guilty of sharing information which could have put the military in danger.

Relying on Article 10 (freedom of expression), Mr Gîrleanu alleges that the measures against him were disproportionate as compared to his actions, namely he had carried out a journalistic investigation to provide information in the public interest.

#### [S.C. Scut S.A. v. Romania \(no. 43733/10\)](#)

The applicant, S.C. Scut S.A., is a Romanian company which was set up in 1991 and whose registered office is in Constanța (Romania). It mines sand extracted from the Danube in exchange for payment of a mining royalty. The case concerns the tax penalty imposed on the company for failing to pay sufficient mining royalties between 2007 and 2008.

In 2000 the applicant company obtained an operating licence from the National Agency for Mineral Resources in exchange for payment of a mining royalty fixed at 2% of the value of the sand extracted. The licence was not approved by the Romanian Government. Subsequently, a new Mining Act increased the mining royalty rates and instituted a differentiated regime between licences that had and licences that had not been approved by the Government before the Act came into force.

In 2007 a tax audit was carried out in respect of the applicant company, following which the Directorate-General of Public Finances concluded that between 2004 and 2006 it had properly complied with its tax obligations, including the 2% mining royalty. In 2009, following a second tax audit, the authorities concluded that between 2007 and 2008 the applicant company had wrongly calculated and paid the mining royalty, which should have been 6% between January and September 2007, and then 10% between October 2007 and September 2008. The Directorate-General therefore

imposed a tax penalty on the applicant company of approximately 10,000 euros (EUR). The applicant company unsuccessfully appealed to the County Court and the Court of Appeal.

Relying on Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicant company alleges that the royalty specified in the licence and operating permit issued by the National Agency was arbitrarily increased by the Directorate-General.

#### [Telbis and Viziteu v. Romania \(no. 47911/15\)](#)

The applicants, Luminița Telbis, Laura Andreea Telbis, and Maria Agata Viziteu, are Romanian nationals who were born in 1964, 1991, and 1982 respectively. Luminița Telbis and Laura Andreea Telbis live in Timișoara (Romania) while Ms Viziteu lives in Lantosque (France).

The case concerns the confiscation of property allegedly belonging to the applicants during a criminal investigation into a relative on bribery charges.

In March 2014 the authorities began a criminal investigation into bribe-taking by S.T., the first applicant's husband, who is also the second applicant's father and the third's uncle. Various assets were seized, including large amounts of cash, two flats, two garages and two cars. The applicants argued that the assets had been obtained lawfully and were not linked to the alleged crimes.

S.T. eventually admitted his guilt and was sentenced to three years' imprisonment.

The applicants appealed against the seizure order, but they were unsuccessful.

The appeal court found in March 2015 that there was a large discrepancy between the applicants' income and their spending on the property in question. It observed that the first applicant and her husband could not have accumulated enough money from their salaries to acquire such a large number of properties and vehicles, that the second applicant was a student with no proof that she had ever had any income, and that there was no evidence that the third applicant had ever asked her uncle to look after the large amount of cash, 40,400 euros, which she argued was hers.

The applicants complain under Article 6 § 1 (right to a fair hearing / access to court) that they were not able to defend their rights during the trial court proceedings against S.T., and that the confiscation of their property without their being convicted of a criminal act was in breach of Article 1 of Protocol No. 1 (protection of property) to the Convention.

#### [Fortalnov and Others v. Russia \(nos. 7077/06, 35973/07, 7814/08, 25724/08, 49087/08, 61400/11, 70401/11, 5375/12, 10447/12, 30658/13, 63531/13, 2838/14, and 7442/15\)](#)

The 13 applicants are all Russian nationals who were born on various dates and live in different parts of the Russian Federation.

The applications concern people who complain that they were held in unrecorded detention.

The applicants were all held by the police for various periods ranging from seven to 83 hours before their arrest was officially recorded. The applicants also allege that they were arrested at different times to those that were officially recorded by the police.

The applicants complain under Article 5 §§ 1, 4, and 5 (right to liberty and security / right to have lawfulness of detention decided speedily by a court / right to compensation) that their unrecorded detention was unlawful, that they were unable to have it reviewed by a court and that it was not possible to obtain compensation. Two of the applicants also complain under Article 5 § 3 (right to liberty and security / entitlement to trial within a reasonable time or to release pending trial) that their detention was not based on relevant and sufficient reasons.

[Mirković and Others v. Serbia \(nos. 27471/15, 27288/15, 27751/15, 27779/15, 27790/15, 28156/15, 28418/15, 30893/15, 30906/15, 32933/15, 35780/15, 40646/15, and 55066/15\)](#)

The case concerns conflicting court decisions ruling at final instance on certain employment benefits for prison staff in Serbia. The applicants are 18 Serbian nationals who were/are all employed in various penal institutions.

From 2011 to 2013 the applicants, as well as many of their colleagues, lodged civil claims against the State asking for compensation for a four year long period in which they had been paid less than they were entitled to by the law. Some of the applicants were successful at first instance, whereas all of them were unsuccessful at second instance. In contrast, some of the applicants' colleagues were successful before the second instance courts and were awarded the compensation claimed.

The applicants appealed to the Constitutional Court complaining, among other things, that domestic courts adopting discordant decisions in similar cases was in breach of the right to legal certainty and the right to fair trial. The Constitutional Court rejected all the applicants' constitutional appeals as unsubstantiated.

The applicants allege that the domestic courts' rejection of their civil claims, while at the same time ruling in favour of other claimants with identical complaints, was in breach of their right to legal certainty guaranteed under Article 6 § 1 (right to a fair hearing).

[Industrial Financial Consortium Investment Metallurgical Union v. Ukraine \(no. 10640/05\)](#)

The applicant company, Industrial Financial Consortium Investment Metallurgical Union, is a Ukrainian joint venture based in Kyiv.

The case concerns domestic court decisions on the privatisation of a large steel company which were initially in favour of the applicant company, but which were subsequently overturned.

In June 2004 the applicant company was declared the winner of a privatisation bid for Kryvorizhstal, at the time one of the largest steel companies in the world. However, in 2005, after the election of a new Government, the authorities took the steel company back into State control and re-sold it to Mittal Steel Germany GmbH. In particular, the State based its decisions to overturn the first selloff process on commercial court decisions which had ruled that the initial privatisation had been flawed.

The commercial court decisions came after a rival Ukrainian bidder, Consortium Industrial Group, challenged the 2004 privatisation by the applicant company.

The commercial courts, by decisions in August and October 2004, rejected Consortium Industrial Group's claim. However, in February 2005 the Supreme Court allowed a belated appeal by the Prosecutor General's Office on behalf of the State, reopened the proceedings, quashed the earlier decisions and remitted the case for fresh examination. In April and June 2005 the commercial courts at first instance and on appeal annulled the first privatisation. The appeal court also eventually ordered that Kryvorizhstal's shares be seized in favour of the State.

The ordinary courts also at first, in August and December 2004, dismissed claims against the validity of the privatisation brought by Consortium Industrial Group and individuals. However, in February 2005 those decisions were overturned and the proceedings were reopened. They were eventually terminated in February 2008.

The applicant company complains in particular under Article 6 § 1 (right to a fair hearing) about the quashing of final decisions in its favour and the reopening of proceedings, about a violation of the principles of independence and impartiality and about allegedly inconsistent court decisions. Under Article 1 of Protocol No. 1 (protection of property) it alleges that the authorities failed to ensure that it could benefit from its possessions, referring to various alleged shortcomings and inconsistencies in the domestic proceedings. It also alleges that it was deprived of its assets because one of its owners was in political opposition to the authorities.

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.

**Kryutchenko v. Russia** (no. 17459/13)

Thursday 28 June 2018

**O.L.G. v. France** (no. 47022/16)

The applicant, O.L.G., is a French national who was born in 1974 and lives in Marrakesh (Morocco). The case concerns the rejection of his application for a visa in order to bring a child, who was born on 6 October 2014 and whom he had adopted in Côte d'Ivoire, to France.

On 24 July 2015 O.L.G. obtained an adoption decision from the Abidjan Court of First Instance and applied to the French Consul General for a visa to enable the child to travel with him to France. The Consul General rejected the visa application on the grounds of serious doubts as to the child's precise origin and the validity of the biological parents' consent.

O.L.G. lodged three consecutive applications to set aside the decisions to withhold a visa issued successively by the Appeals Board and the Minister for Foreign Affairs, as well as urgent applications to stay the execution of the administrative visa refusals, seeking reconsideration of the visa application. By three successive orders the urgent applications judge of the Nantes Administrative Court ruled that the conditions – particularly the urgency criterion – were fulfilled, such as to require the authorities to reconsider the application. However, the Minister for Foreign Affairs upheld the rejection of the visa application on the grounds of irregularities in the adoption procedure. The urgent applications judge of the *Conseil d'État*, adjudicating an application to set aside a fourth decision given by the Nantes Administrative Court, finally dismissed the application for a speedy re-examination of the visa application.

On 14 December 2016 O.L.G. lodged a further urgent application with the Nantes Administrative Court for a temporary travel document in order to obtain a final judgment on the matter. That application was dismissed. Finally, on 23 May 2017, the Nantes Administrative Court dismissed an appeal on the merits against the administrative decisions rejecting the visa application. An appeal was lodged against the latter judgment with the Nantes Administrative Court of Appeal, and is currently still pending.

At first the child was entrusted to a foster family in Côte d'Ivoire by O.L.G., who visited him regularly there. Since July 2017 the child has been with O.L.G. in Marrakesh, where he now lives.

Relying on Article 8 of the Convention (right to respect for private and family life), the applicant complains of the rejection of his application for a visa for the child, which is preventing them from living together in France.

**Tchokhonelidze v. Georgia** (no. 31536/07)

The case concerns the alleged police entrapment of a senior regional Government official.

The applicant, Eldar Tchokhonelidze, is a Georgian national who was born in 1956 and lives in the village of Tsereteli (Marneuli Region, Georgia).

Mr Tchokhonelidze, Deputy Governor of the Marneuli Region, was found guilty in July 2006 of requesting a bribe in exchange for his help in obtaining a permit to build a petrol station. He was sentenced to seven years' imprisonment, but granted early release in November 2008.

His conviction was the result of an undercover operation after Ms K., the person applying for the construction permit, reported to the police that the deputy governor had requested a 10,000 US dollar bribe from her for the permit. The police requested a court order to film their ensuing meetings and tap their telephone conversations. Mr Tchokhanelidze was finally arrested in December 2005 when Ms K. handed over the money in pre-marked banknotes.

Throughout his trial and appeal Mr Tchokhanelidze complained that he had been entrapped by Ms K., alleging that she was a paid undercover agent, and requested the courts to summon an additional witness, another undercover agent. The courts did not answer the allegation of entrapment. They tried, but failed to summon the additional witness as they could not locate her.

Relying on Article 6 § 1 (right to a fair trial), Mr Tchokhanelidze alleges that his conviction was unfair because it was based on evidence obtained through police entrapment, without the courts reviewing his allegations in that regard. Also relying on Article 6 § 3 (d) (right to obtain attendance and examination of witnesses), he complains that neither the courts nor the parties involved had had the opportunity to question in court the second undercover agent involved in the case.

### [M.L. and W.W. v. Germany \(nos. 60798/10 and 65599/10\)](#)

The applicants, M.L. and W.W., who are half-brothers, are German nationals who were born in 1953 and 1954 and live in Munich and Erding (Germany) respectively. The case concerns the refusal of the Federal Court of Justice to issue an injunction prohibiting three different media from continuing to allow Internet users access to documentation concerning the applicants' conviction for the murder of a famous actor and mentioning their names in full.

In May 1993 M.L. and W.W. were convicted of murdering the very popular actor W.S. and sentenced to life imprisonment by the domestic courts. They were released on probation in August 2007 and January 2008 respectively.

In 2007 the applicants brought proceedings against the radio station *Deutschlandradio* in the Hamburg Regional Court requesting anonymity of the personal data in the documentation on them that had appeared on the station's Internet site.

In two judgments of 29 February 2008 the Hamburg Regional Court granted the applicants' requests, considering in particular that their interest in no longer being confronted with their past acts so long after their conviction prevailed over the public interest in being informed. The Court of Appeal upheld those judgments. The Federal Court of Justice quashed the decisions on the grounds that the Court of Appeal had not taken sufficient account of the radio station's right to freedom of expression and, with regard to its mission, the public's interest in being informed. In July 2010 the Federal Constitutional Court decided not to entertain constitutional appeals lodged by the applicants.

A second and third set of proceedings on similar grounds brought against the weekly magazine *Der Spiegel* and the daily newspaper *Mannheimer Morgen* respectively were dealt with under the same procedure and ended with the same conclusions by the courts.

Relying on Article 8 (right to respect for private life), the applicants complain of the refusal by the Federal Court of Justice to issue an injunction prohibiting the defendant media from keeping on their Internet portal the transcript of a radio programme by *Deutschlandfunk* and articles by the *Spiegel* or the *Mannheimer Morgen* about their criminal trial and their conviction for murder. They complain of an infringement of their right to respect for their private life.

### [Krassas v. Greece \(no. 45957/11\)](#)

The applicant, Mr Dimitrios Krassas, is a Greek national who was born in 1965 and lives in Piraeus.

A preliminary investigation was instituted against Mr Krassas following a complaint by his wife, from whom he was separated, of rape and sexual abuse of their three-year-old daughter. In January 2010

the investigator issued a warrant for Mr Krassas's arrest on the ground, among others, that he had not appeared before the investigator on the date stipulated in the summons for the purposes of submitting his defence.

In a decision of 18 January 2011 the President of the Court of Appeal committed Mr Krassas for trial before the Athens Criminal Court of Appeal, in accordance with the direct-summons procedure, ordered an extension of the validity of the arrest warrant and, in the event of arrest, placement in detention until the final determination of the charges against him. A hearing was listed for 26 September 2011.

On 18 January 2011 Mr Krassas was arrested at his workplace. On 3 February 2011 he filed an application with the registry of the Criminal Court of Appeal for release on bail. Having been initially detained at the Egaleo police station, he was transferred to Tripoli Prison where he was detained until 9 March 2011. On that date the Indictments Division of the Athens Court of Appeal granted his request for release on bail on the grounds that he had a known place of residence, had a job, did not have a criminal record, and had not been unlawfully absent or attempted to flee.

Relying on Article 5 § 3 (right to liberty and security), the applicant complains that he was not "brought promptly before a judge", on grounds of an omission in the provisions of the Code of Criminal Procedure. Relying also on Article 5 § 4, he complains that his application for release on bail was not examined "speedily".

#### [Lazaridou v. Greece \(no. 59142/16\)](#)

The applicant, Myrto Lazaridou, is a Greek national who was born in 1973 and lives in Athens.

The case concerns physical injuries sustained by Mrs Lazaridou, in May 2010, on the day of a demonstration organised against the austerity measures imposed by the Government.

Mrs Lazaridou blames her injuries on the police officers of a special unit who had broken a glass door when entering the building she was in, whereupon she sustained injuries to the arm from shards of glass. On the same day, at the hospital, she was found to have injuries requiring stitches and prescribed antibiotics. About 15 days later a forensic doctor from Athens University considered that her injuries were simple bodily injuries and had healed up satisfactorily. A few days after the events Ms Lazaridou lodged a complaint with the public prosecutor's office. A number of police officers were committed for trial and the first-instance and appeal courts acquitted them for lack of evidence. At the same time a "sworn administrative inquiry" led to the conclusion that no disciplinary offence had been committed by the police officers.

Relying on Article 3 (prohibition of inhuman or degrading treatment), Mrs Lazaridou complains that she was deliberately injured by police officers, who subsequently took no interest in her case and prevented her from immediately seeking treatment. She also complains that the investigations into the events in question were ineffective, and that the police officers involved were acquitted. She questions in particular the impartiality of the "sworn administrative inquiry" on the grounds that it was carried out by police officers, the relevant police authorities failed to take decisive evidence into consideration and the authorities failed to give adequate reasons for their conclusions. On the latter point, she submits that the conclusions of the investigation influenced the courts, which merely endorsed them in their decisions.

#### [Paraskevopoulos v. Greece \(no. 64184/11\)](#)

The applicant, Panagiotis Paraskevopoulos, is a Greek national who was born in 1964 and lives in Thessaloniki (Greece).

The case concerns his complaint about being found guilty of insulting the head of the local council.

Mr Paraskevopoulos wrote a newspaper article in December 2007 accusing people who had become involved in politics of abusing their position by, among other things, obstructing public land next to their own property by planting trees on it and by building a gazebo that jutted on to the land. The head of the local council took him to court for defamation.

In July 2010 the Court of Appeal ultimately found that it was clear that he had been speaking of the head of the local council, found him guilty of insult via the press and sentenced him to a two-month suspended prison sentence. The courts rejected his argument that he had raised a legitimate issue of public interest which was also true. In particular, the appeal court found that even though the facts reported in the article were accurate, the way he had expressed himself had been insulting.

The head of the council also sued him for damages and in July 2014 she was awarded 2,500 euros.

Relying on Article 10 (freedom of expression), Mr Paraskevopoulos complains that his criminal conviction for remarks about a local politician included in an article published in a local newspaper violated his right to freedom of expression.

#### [Vathakos v. Greece \(no. 20235/11\)](#)

The applicant, Mr Vassilios Vathakos, is a Greek national who was born in 1961 and lives in Skala Lakonias.

Mr Vathakos, who has civil-servant status, is a theologian and secondary-school teacher. In April 2005 the Regional Disciplinary Board for Secondary Education imposed a disciplinary penalty on him suspending him from duty for three months and suspending his salary for breach of professional duties and indecent assault. In May 2005 the Minister for National Education lodged an objection in favour of the administrative authorities, seeking the imposition of a more severe penalty. In May 2006 the Disciplinary Appeals Board set aside the earlier decision and suspended Mr Vathakos for six months without salary.

Mr Vathakos sought to have that decision set aside. The Athens Administrative Court declined territorial jurisdiction and referred the case to the Tripoli Administrative Court of Appeal. A hearing was held before that court on 14 June 2010. However, Mr Vathakos was not represented at the hearing. He asked the Administrative Court of Appeal to hold a fresh hearing in order to be able to appear with his lawyer and make his oral submissions. He referred to a case of *force majeure* to explain his lawyer's absence at the hearing of 14 June 2010 and appended a medical certificate. The Tripoli Administrative Court of Appeal declared Mr Vathakos's appeal inadmissible and dismissed his application to have the proceedings reopened.

Relying on Articles 6 § 1 and 13, the applicant complains that his appeal to the Administrative Court of Appeal was not fairly and effectively examined.

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**Bus and Others v. Hungary** (nos. 20352/13, 71399/13, 73708/13, 73933/13, 77087/13, 9294/14, 12456/14, 22182/14, 30927/14, and 14883/17)

**Accorroni and Others v. Italy** (no. 59876/15)

**Barrini v. Italy** (no. 62849/09)

**Ciccimarra and Others v. Italy** (nos. 14972/15, 22987/15, 38103/15, 38352/15, and 38695/15)

**Giannotta and Others v. Italy** (nos. 14863/15, 15024/15, 15198/15, 15349/15, 15586/15, 15690/15, 47971/15, 62163/15, 6981/16, 10072/16, 21504/16, 21847/16, 25720/16, and 25732/16)

**Isabella and Others v. Italy** (nos. 69097/14, 9533/15, and 51533/15)

**Roche v. Malta** (nos. 42825/17 and 66857/17)  
**Dub v. the Republic of Moldova** (no. 39374/09)  
**Ivanović and D.O.O. Daily Press v. Montenegro** (no. 24387/10)  
**Ahdour v. the Netherlands** (no. 45140/10)  
**Soumah v. the Netherlands** (no. 61452/15)  
**I.F. and I.F.F. v. Norway** (nos. 62363/16 and 62803/16)  
**Ali v. Romania** (no. 13197/17)  
**Căian v. Romania** (no. 1814/16)  
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