



Grand Chamber Hearing concerning the inability of Greek expatriates to vote in national elections

The European Court of Human Rights is holding a Grand Chamber hearing today **Wednesday 4 May 2011 at 9.15 a.m.** in the case of **Sitaropoulos and Others v. Greece** (Application no. 42202/07).

The hearing will be broadcast from 2.30 p.m. on the Court's Internet site (www.echr.coe.int).

After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage.

The applicants, Nikolaos Sitaropoulos and Christos Giakoumopoulos, are Greek nationals who were born in 1967 and 1958 respectively and live in Strasbourg (France). During the 2007 parliamentary elections in Greece, they were unable to exercise their right to vote at their place of residence because no rules existed governing the exercise of that right by Greek voters living abroad (however they could have voted in Greece).

They considered this situation incompatible with Article 3 of Protocol No. 1 (right to free elections) to the European Convention on Human Rights.

Procedure

The application was lodged with the European Court of Human Rights on 20 September 2007 and [communicated](#) to the Greek Government on 12 September 2008. In its [Chamber judgment](#) of 8 July 2010 the Court held that there had been a violation of Article 3 of Protocol No. 1, taking the view that the absence of effective measures to enable the applicants to exercise their right to vote in national elections from their place of residence had breached the right to free elections¹.

On 22 November 2010 the case was referred to the Grand Chamber at the request of the Greek Government².

¹ The Court noted among other things that 26 countries allow expatriates to vote at their place of residence (Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Finland, France, Georgia, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Moldova, Poland, the Netherlands, Romania, Russia, Serbia, Slovakia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom). Three countries limit the right to vote to a certain category of expatriate or to a particular type of election (Ireland, Denmark and the Czech Republic). Lastly, in four countries there is no possibility to cast a vote abroad in parliamentary elections (Albania, Armenia, Azerbaijan and Malta).

² Under Article 43 of the European Convention on Human Rights, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-member Grand Chamber of the Court. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer.

Composition of the Court

The case will be heard by a Grand Chamber of 17 judges, composed as follows:

Jean-Paul **Costa** (France), *President*,
Nicolas **Bratza** (the United Kingdom),
Françoise **Tulkens** (Belgium),
Josep **Casadevall** (Andorra),
Boštjan M. **Zupančič** (Slovenia),
Lech **Garlicki** (Poland),
Egbert **Myjer** (the Netherlands)
David Thór **Björgvinsson** (Iceland),
Ján **Šikuta** (Slovakia),
Ineta **Ziemele** (Latvia),
Luis **López Guerra** (Spain),
Nona **Tsotsoria** (Georgia),
Ann **Power** (Ireland),
Zdravka **Kalaydjieva** (Bulgaria),
Vincent A. **de Gaetano** (Malta),
Angelika **Nußberger** (Germany), *Judges*,
Spyridon **Flogaitis** (Greece), *ad hoc Judge*,
Danutė **Jočienė** (Lithuania),
Ledi **Bianku** (Albania),
András **Sajó** (Hungary), *Substitute Judges*,

and also Johan **Callewaert**, *Deputy Grand Chamber Registrar*.

Representatives of the parties

Government

Kyriaki **Paraskevopoulou**, *Agent's delegate*,
Zacharoula **Chatzipavlou**, *Counsel*;

Applicants

Ioannis **Ktistakis**, *Counsel*,
Aliko **Terzis**, *Adviser*.

Nikolaos **Sitaropoulos** will also attend the hearing.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.