



Judgments and decisions of 15 March 2018

The European Court of Human Rights has today notified in writing five judgments¹ and 25 decisions²: two Chamber judgments are summarised below;

three Committee judgments, concerning issues which have already been submitted to the Court, and the 25 decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

The judgments in French below are indicated with an asterisk ().*

Teymurazyan v. Armenia (application no. 17521/09)

The applicant, Vardan Teymurazyan, is an Armenian national who was born in 1957 and lives in Yerevan. The case principally concerned his complaint that Armenian law had not provided for non-pecuniary compensation for ill-treatment and unlawful detention.

In April 2005 a criminal case was instituted against Mr Teymurazyan for assaulting two officers of the traffic police and he was held in remand for one and half months. He was acquitted in February 2006 after the court found it was the police officers themselves who had been violent and had injured him. The court also held that his arrest and detention had been unlawful. The police officers were never prosecuted as, in November 2006, the appeal court in the case found that it was not possible under Armenian law to reopen proceedings if the prosecuting authority had previously decided not to bring charges against the officers, as it had done in June 2005.

Mr Teymurazyan's civil claim for non-pecuniary damage was dismissed on the grounds that such compensation was not envisaged by domestic law.

Mr Teymurazyan complained in particular that there had been no legal provision for compensation for non-pecuniary damage for his ill-treatment or unlawful arrest and detention, in breach of Article 13 (right to an effective remedy) and Article 5 § 5 (right to liberty and security – right to compensation) of the European Convention on Human Rights.

Violation of Article 5 § 5

Violation of Article 13

Just satisfaction: 11,700 euros (EUR) for non-pecuniary damage and EUR 500 for costs and expenses

A.E.A. v. Greece (no. 39034/12)*

The applicant, A.E.A., is a Sudanese national who was born in the Darfur region. He belongs to a non-Arab tribe.

The case concerned Greece's asylum procedure, which the applicant alleged had been deficient at the time, and his living conditions in Greece.

¹ Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a Chamber judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution

² Inadmissibility and strike-out decisions are final.

A.E.A. stated that he left Sudan in 2003 after being tortured on account of his political views. He arrived in Greece in April 2009. According to his account, he was issued with an automatic expulsion order on his arrival. He was then allegedly prevented from having access to the asylum procedure, between April 2009 and July 2012. As a result, he lived like a homeless person in derelict buildings or with compatriots. In July 2012 the Greek authorities registered his asylum application, which was rejected in July 2013.

On an unspecified date A.E.A. left Greece and moved to France, where he applied for international protection.

Relying in particular on Articles 3 (prohibition of inhuman or degrading treatment) and 13 (right to an effective remedy) of the European Convention, A.E.A. alleged deficiencies in the system operated by the Greek authorities for examining asylum applications, complaining inter alia that his asylum application had not been registered for three years (from April 2009 to July 2012).

Violation of Article 13 in conjunction with Article 3

Just satisfaction: EUR 2,000 (non-pecuniary damage)

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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.