



Judgments and decisions of 20 June 2019

The European Court of Human Rights has today notified in writing five judgments¹ and 23 decisions²: one Chamber judgment is summarised below; separate press releases have been issued for two other Chamber judgments in the cases of *Chiarello v. Germany* (application no. 497/17) and *A and B v. Croatia* (no. 7144/15);

two Committee judgments, concerning issues which have already been submitted to the Court, and the 23 decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

The judgment below is available only in French.

Loupas v. Greece (application no. 21268/16)

The applicant, Ekaterini Loupas, is a Greek national who was born in 1959 and lives in Athens.

The case concerned disciplinary proceedings and proceedings before the Supreme Administrative Court as a result of which the applicant, who is currently an ambassador and who at the relevant time was the Greek Consul General in Geneva, was suspended from duty for six months without pay for a breach of official duties.

On 17 August 2007 the Geneva Employment Tribunal ordered Ms Loupas and the Hellenic Republic jointly to pay the sum of 181,845 Swiss francs to N.P., a Filipino national who had been employed in the applicant's residence as a member of the domestic staff from October 2001 to December 2005. The amount corresponded to a recalculation of N.P.'s salary and to payments for overtime and hours worked on public holidays.

On 20 September 2007 the Hellenic Republic and Ms Loupas lodged an appeal with the Geneva Employment Appeal Tribunal. On 5 February 2008 the Chair of the Tribunal declared the appeal inadmissible. The Hellenic Republic and Ms Loupas lodged an application with the Federal Court to have that decision set aside, without success. On the instructions of the Secretary General of the Ministry of Foreign Affairs, the Ministry's Inspector General opened an administrative inquiry. In a decision of 28 May 2009 the disciplinary board of the Ministry of Foreign Affairs dismissed the disciplinary charges against Ms Loupas alleging a breach of official duties, negligence in the performance of her duties and conduct incompatible with the dignified representation of the country. On 8 September 2009 the General Inspector of Public Administration applied to the Supreme Administrative Court requesting it to set aside the acquittal decision of the Foreign Affairs Ministry's disciplinary board. The Supreme Administrative Court set aside the decision and imposed a disciplinary penalty on the applicant in the form of a six-month temporary suspension without pay.

Relying on Article 6 § 1 (right to a fair hearing) of the European Convention on Human Rights, the applicant complained that she had not been given a fair hearing because the Supreme Administrative Court had not taken into consideration some decisive official documents, but had

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.

based its ruling primarily on certain statements made by the rapporteur in the case to the disciplinary board of the Ministry of Foreign Affairs.

Violation of Article 6 § 1

Just satisfaction: 1,000 euros (EUR) for non-pecuniary damage and EUR 2,488 for costs and expenses

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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.