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

Press Release
issued by the Registrar of the Court

ECHR 177 (2016)
31.05.2016

Judgments of 31 May 2016

The European Court of Human Rights has today notified in writing 16 Chamber judgments[1].

11 judgments are summarised below; for five others, in the cases of *Gankin and Others v. Russia* (applications nos. 2430/06, 1454/08, 11670/10 and 12938/12), *Nadtoka v. Russia* (application no. 38010/05), *Beortegui Martinez v. Spain* (no. 36286/14), *Mergen and Others v. Turkey* (nos. 44062/09, 55832/09, 55834/09, 55841/09 and 55844/09) and *Yüksel and Others v. Turkey* (nos. 55835/09, 55836/09 et 55839/09) separate press releases have been issued.

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

Vukušić v. Croatia (application no. 69735/11)

The applicant, Filip Vukušić, is a Croatian national who was born in 1946 and lives in Zagreb. The case concerned his complaint that his title to a flat in Sisak (Croatia) was annulled.

Mr Vukušić lived with his family in Petrinja (Croatia) until September 1991 when, during the Croatian War of Independence, the town was occupied by the Serbian paramilitary forces. Mr Vukušić thus moved to Sisak with his family where he found employment with Sisak Ironworks Fortis and moved into a flat which had previously been occupied by a family of Serbian origin under a specially protected tenancy. This family had also had to leave their home because of the war and agreed with Mr Vukušić by telephone that, as displaced persons, he and his family could temporarily occupy the flat.

In 1992 the national courts terminated the specially protected tenancy of the family of Serbian origin on the grounds that they had abandoned the flat in Sisak. These proceedings were reopened at the request of the family in 1994 and in 1996 the courts dismissed the action brought by Sisak Ironworks to terminate the family's specially protected tenancy. Mr Vukušić participated in the reopened proceedings as an intervener on the plaintiff side.

In the meantime, in 1994 Mr Vukušić purchased the flat under a contract of sale concluded with his employer, the Ironworks, a formerly socially-owned company which, although privatised, was majority State-owned. However, in November 2007 the national courts declared Mr Vukušić's title to the flat null and void, finding that the family of Serbian origin had never lost their specially protected tenancy. The courts also placed emphasis on the fact that Mr Vukušić had been aware of the circumstances in which the other family had left the flat and the fact that this family had applied for re-opening of the civil proceedings in which their specially protected tenancy of the flat had been terminated. Mr Vukušić's constitutional complaint was declared inadmissible in June 2011.

Mr Vukušić is still living in the flat in Sisak. He was granted reconstruction assistance for the house he owns in Petrinja in December 1996 and was registered as living there from 1993 to 1999.

Relying in particular on Article 1 of Protocol No. 1 (protection of property) to the European Convention on Human Rights, Mr Vukušić complained about the annulment of the title to his flat,

[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

alleging that the situation in which two families had conflicting titles to the same flat had been created by the authorities.

No violation of Article 1 of Protocol No. 1

A.N. v. Lithuania (no. 17280/08)

The applicant, Mr A.N., is a Lithuanian national who was born in 1971 and lives in Naujoji Akmenė (Lithuania). The case concerned his complaint that he had not been involved in proceedings depriving him of his legal capacity.

Mr A.N. has a history of psychiatric troubles: he has regularly seen psychiatrists since 1990 and, diagnosed in 2004 with schizophrenia, has since been admitted to psychiatric institutions on a number of occasions. In November 2006 his mother, alarmed by the fact that her son refused to leave his flat, was not taking care of himself and had even attempted to take his own life, asked a prosecutor to initiate proceedings to declare her son legally incapacitated. In the ensuing proceedings, in January 2007 an expert examination was ordered and a medical report drawn up by a psychiatrist who concluded that the applicant was suffering from paranoid schizophrenia and could not look after himself. Furthermore, the psychiatrist found that he could not take part in court proceedings, could not be questioned or have court documents served on him. At a public hearing in the same month, attended by the prosecutor and the applicant's mother, the court declared the applicant legally incapacitated. The court essentially based its decision on the medical report and the mother's testimony. Under Lithuanian legislation in force at the time his mother was thus appointed his legal guardian in March 2007. He was subsequently forcibly hospitalised. After his release, in November 2008 he contacted the Legal Aid Service with a request to appeal against the decisions to declare him incapacitated and to appoint him a legal guardian, pointing out that he had only learnt of those two decisions in March 2007 upon his forced admission to a psychiatric hospital. However, the Legal Aid Service refused his request, finding that it had no prospect of success as he had missed the deadline for appealing the decisions.

Relying on Article 6 § 1 (right to a fair hearing) and Article 8 (right to respect for private and family life), Mr A.N. complained that he had been deprived of his legal capacity without his participation or knowledge and that, as an incapacitated person, he had then been unable to himself request that his legal capacity be restored.

Violation of Article 6 § 1
Violation of Article 8

Just satisfaction: The Court held that the finding of a violation constituted in itself sufficient just satisfaction for the non-pecuniary damage sustained by Mr A.N.

Bakanova v. Lithuania (no. 11167/12)

The applicant, Liudmila Bakanova, is a Lithuanian national who was born in 1951 and lives in Klaipėda (Lithuania). The case concerned her complaint about the investigation into her husband's death on board the ship where he had been working as mechanic.

On the morning of 24 October 2007 Ms Bakanova's husband, on a work voyage to Brazil on the private ship *Vega*, was found dead in his cabin. The ship's captain assembled a commission to investigate the death and, having inspected the cabin and taken photographs, sent a report to his superiors at the Limarko shipping company based in Klaipėda, Lithuania. The following day the Brazilian police took statements from the captain and chief engineer and a Brazilian doctor gave acute heart attack as the cause of death. The body, embalmed in chemicals and put in a zinc coffin, was then shipped to Lithuania, which it reached on 1 December 2007.

The possible causes of death were subsequently examined in two separate sets of proceedings – criminal and administrative. In the administrative proceedings, the Supreme Administrative Court ultimately dismissed in February 2009 Ms Bakanova's claim that her husband's death be considered as a work accident. It notably found that, even though poor working conditions on the ship had been confirmed, the main engine often breaking down and causing leaks of dangerous gases, this could not have caused her husband's heart attack. The Lithuanian prosecuting authorities, which opened a criminal investigation in October 2007, came to a similar conclusion and discontinued the investigation in December 2010. Ms Bakanova appealed against the decision to discontinue the criminal investigation, arguing that experts had not been able to definitely confirm that her husband had died of a heart attack, given that her husband's body had been quickly embalmed without an autopsy being carried out. She also pointed to shortcomings in the investigation, such as the absence of blood test results and toxicology tests, the lack of documents concerning safety at work on the ship, the fact that the ship's logbooks had not been obtained and that the ship had not been inspected after her husband's death. By a final ruling, however, in September 2011 the Klaipėda Regional Court dismissed her appeal, noting that the cause of death had already been established in a final and binding decision in administrative proceedings in February 2009. Ms Bakanova's argument that additional evidence should have been collected was considered as serving no purpose, given the amount of time which had already elapsed.

Relying in particular on Article 2 (right to life), Ms Bakanova alleged that the investigation into her husband's death had been ineffective. She notably considered that had there been a fast and thorough investigation, then the experts would have had more information with which to establish the real cause of her husband's death.

Violation of Article 2 (investigation)

Just satisfaction: 10,000 euros (EUR) (non-pecuniary damage) and EUR 2,420 (costs and expenses)

Comoraşu v. Romania (no. 16270/12)*

The applicant, Ilie Comoraşu, is a Romanian national who was born in 1971 and lives in Prăjeşti (Romania). The case concerned his confinement in a psychiatric institution that he claimed had been unlawful.

In December 2007 Mr Comoraşu, who was then working in Belgium and was also a town councillor in Prăjeşti, where he had been living with his family for a number of years, returned there from Belgium. On the evening of 28 December his mother-in-law called the emergency services to report that he had been aggressive since his return. The next morning a municipal vehicle arrived in front of the house of Mr Comoraşu, who was sweeping snow from his courtyard. He was restrained by police officers, who handcuffed him and shackled his feet, and was then taken to the psychiatric unit of the county hospital. He was admitted to hospital with a diagnosis of "acute psychotic disorder", and stayed there from 15 January 2008 until 29 December 2008.

On 20 January 2009 he filed a criminal complaint with the Bacău public prosecutor's office against the mayor of Prăjeşti, the five police officers who had forcibly taken him to hospital and the hospital psychiatrist. He complained about the way he had been arrested and transported, the conditions of his stay in the hospital, the lack of appropriate medical treatment and the subsequent deterioration in his state of health. On 9 October 2009 the public prosecutor's office discontinued the proceedings, finding that since his return Mr Comoraşu had started being violent towards his family and neighbours. The decision was confirmed by a decision of Bacău District Court. On 25 November 2010 the Bacău Court of Appeal allowed Mr Comoraşu's appeal and found that the competent authorities had not carried out an effective criminal investigation capable of elucidating the circumstances of the incident. On 11 May 2011 the public prosecutor's office again issued a decision of discontinuance, using the same reasoning as on 9 October 2009. The prosecutor noted that

according to a medical report drawn up following the judgment of the Court of Appeal, Mr Comoraşu was suffering from "bipolar disorder – an acute hypomanic episode with delusional elements" and that his mental state required specialised monitoring and treatment, without confinement. In June 2012 Mr Comoraşu was elected as town councillor for Prăjeşti.

Relying on Article 3 (prohibition of inhuman or degrading treatment), Mr Comoraşu complained that he had been subjected to ill-treatment during his arrest by the police and his involuntary confinement in the psychiatric unit of Bacău hospital. He argued that his criminal complaint against those responsible had not led to an effective investigation. Relying in particular on Article 5 § 1 (right to liberty and security), he complained that he had been unlawfully arrested at his home, taken by force to a psychiatric hospital, confined against his will and administered medical treatment to which he had not consented.

No violation of Article 3 (treatment)
Violation of Article 3 (investigation)
Violation of Article 5 § 1

Just satisfaction: EUR 10,000 (pecuniary damage) and EUR 10,000 (non-pecuniary damage)

Gheorghiţă and Alexe v. Romania (no. 32163/13)*

The applicants, Stela Gheorghiţă and Gheorghiţă Gabriel Alexe, are Romanian nationals of Roma origin, who were born in 1969 and 1997, and live in Făgăraș. The case concerned their complaint that they had been ill-treated by the police.

Ms Gheorghiţă and Mr Alexe filed criminal complaints against five police officers, claiming that on 12 June 2012, in the course of their search for Ms Gheorghiţă's son, the officers had entered her house and had struck her on the chest and legs, causing a fracture to her left leg. She and her husband had then been handcuffed and taken to the police headquarters. As to Mr Alexe, the police had restrained him and had tried to take away the mobile phone with which he had filmed the scene. They had also struck him. The complaints were transmitted to the public prosecutor's office at the Braşov Court of Appeal and a preliminary investigation was opened. Seven officers, including the five involved, were questioned by the public prosecutor, as were Ms Gheorghiţă and Mr Alexe.

In a decision of 11 September 2012 the public prosecutor's office issued a decision of discontinuance, which was upheld by the Court of Appeal. On the merits, the Court of Appeal found that it could not be concluded from the evidence in the file that Ms Gheorghiţă and Mr Alexe had been assaulted by the police officers as they had claimed. It took the view that Mr Alexe's conduct had justified the reaction of the police. It considered that Ms Gheorghiţă's injuries had been sustained while she was being restrained. According to the forensic medical certificate in the file, the fracture to her left leg was the result of a fall and not of blows inflicted by a third party. The Court of Appeal concluded that the investigation, even though it had remained at the preliminary stage, had been effective and comprehensive.

Relying in particular on Article 3 (prohibition of inhuman or degrading treatment), Ms Gheorghiţă and Mr Alexe alleged that they had been victims of ill-treatment by State officials on 12 June 2012 during their arrest.

No violation of Article 3 (treatment)
Violation of Article 3 (investigation)

Just satisfaction: EUR 7,500 to Ms Gheorghiţă and EUR 5,000 to Mr Alexe in respect of non-pecuniary damage

Olga Nazarenko v. Russia (no. 3189/07)*

The applicant, Olga Grigoryevna Nazarenko, is a Russian national who was born in 1954 and lives in Orekhovo-Zuyevo (Moscow region).

The case concerned a breach of the equality of arms principle. A hearing in civil proceedings had been held in the presence of the respondent but in the absence of Ms Nazarenko, the claimant, after her request to have the hearing adjourned was dismissed by the court.

The Kuril Islands are made up of a number of islands including Shikotan Island – where Ms Nazarenko was living at the time – and Kunashir Island, where the Yuzhno-Kurilskiy District Court is located. Transport between the islands is by ferry.

Ms Nazarenko was dismissed on grounds of misconduct from the State secondary school where she was a teacher, having been disciplined for using violence against a pupil. She brought proceedings against her former employer. On 4 May 2006, as she had not received the respondent's observations, she phoned the court to have them sent to her and to find out where the hearing would be held. The registry informed her orally that it would be held on Kunashir Island. On the same day Ms Nazarenko learned that over the following days there would be no ferry service between the island where she lived and Kunashir Island and she sent a telegram to the court to ask for the hearing to be rescheduled. On 6 May 2006 the court held the hearing in the presence of the respondent's representative but without Ms Nazarenko. The court rejected Ms Nazarenko's request for adjournment because the presence that day of the respondent's representative – who lived on the same island as Ms Nazarenko – contradicted her allegation that there was no transport service between the two islands. After the hearing the court gave its decision dismissing Ms Nazarenko's claim.

On 13 May 2006 Ms Nazarenko appealed on points of law. The Sakhalin Regional Court upheld the decision, finding that Ms Nazarenko had not produced sufficient evidence in support of her argument about the lack of a transport service and that the presence at the hearing of the respondent's representative, who lived in the same place her, contradicted her position.

Relying on Article 6 § 1 (right to a fair hearing), Ms Nazarenko alleged that her right to a fair hearing had been breached on the ground that her civil claim had been examined in her absence but in the presence of the respondent. She complained that the national authorities had deprived her of the possibility of presenting her case in conditions that had been equal to those available to the other party.

Violation of Article 6 § 1

Just satisfaction: EUR 4,000 (non-pecuniary damage) and EUR 125 (costs and expenses)

Tence v. Slovenia (no. 37242/14)

The applicant, Marinka Tence, is a Slovenian national who was born in 1950 and lives in Nova Gorica (Slovenia). The case concerned the question of whether an appeal successfully transmitted to a court's fax machine could be considered delivered if it was not printed out and who was to bear the risk of such an error or malfunction.

In October 2002 Ms Tence lodged a civil action against her former employer seeking payment of contributions she had made into the employee share scheme. Her claim was dismissed by the Nova Gorica Local Court in May 2011. Her lawyer appealed against this first-instance judgment, sending a six-page fax on 28 June 2011, the last day of the time-limit for appealing. The following day the lawyer then sent the same six-page document by registered mail. Ms Tence's appeal was rejected as out of time, as were her subsequent objections that it had been sent by fax within the time-limit but that most probably the document had been automatically deleted from the fax machine's memory

due to a failure to print it out. The national courts only took into account the document sent by registered mail after the time-limit, noting that Ms Tence was unable to prove the content of the document sent by fax. Ultimately, in June 2013 the Supreme Court held that any risk of a fault in the telecommunication network or similar technical issue was to be borne by the party submitting the fax. Ms Tence's subsequent constitutional appeal was dismissed in November 2013 for lack of significant disadvantage and for not raising an important constitutional question.

Relying on Article 6 § 1 (access to court), Ms Tence complained that it had been unreasonable and impracticable to require that applications be printed out by the relevant court and that this had placed the risk of faulty functioning of a court's fax machine on the parties to the proceedings.

Violation of Article 6 § 1

Just satisfaction: EUR 2,500 (non-pecuniary damage)

Ersin Erkuş and Others v. Turkey (no. 40952/07)*

The applicants, Ersin Erkuş, Engin Cenğuz and Sultan Öner are Turkish nationals who were born respectively in 1985, 1985 and 1968 and live in İzmir.

The case concerned allegations of ill-treatment – allegedly inflicted on Mr Erkuş, Mr Cenğuz and Ms Öner during a police raid of the site where they had been working and when they had been questioned in the police station – and the alleged ineffectiveness of the criminal proceedings brought against the police officers accused of involvement.

On 13 November 2001 police officers raided a site where Mr Erkuş and Mr Cenğuz, minors at the time, were to be found, in order to apprehend Ö.E. on suspicion of involvement in the terrorist actions of the PKK (Kurdistan Workers' Party, an illegal armed organisation). According to the applicants, the police struck Ö.E., and Mr Erkuş, Mr Cenğuz and Ms Öner were also beaten when they tried to intervene. According to the Government, the police officers were attacked by Mr Erkuş and Mr Cenğuz with knives, and also by a large crowd who had gathered round them brandishing iron bars and throwing stones; injuries sustained by two officers resulted in sick leave. On 14 November 2001 Ms Öner and the parents of Mr Erkuş and Mr Cenğuz filed a criminal complaint. A medical examination revealed injuries on their bodies, requiring sick leave of two days for Ms Öner and one day for Mr Erkuş.

On 19 November 2001 Mr Erkuş and Ms Öner went to the police station with several family members and their lawyer; Mr Cenğuz was not with them. When questioned, Ms Öner was allegedly grabbed by the hair and dragged across the floor to the entrance of the police station; other officers allegedly struck her with their truncheons. After giving her statement, Ms Öner was taken to the civil hospital of Yeşilyurt, where injuries were observed on her body. On her return to the police station, she was taken into police custody and on 20 November 2001 was questioned by the public prosecutor's office. In addition, the police took statements from two witnesses, who claimed in particular that Ms Öner had caused agitation inside the police station. On 27 November 2001 Ms Öner filed a complaint against three police officers.

On 28 November 2001 the public prosecutor brought proceedings against five individuals, including Mr Erkuş and Ms. Öner, concerning the events of 13 and 19 November 2001. In addition, on 29 November 2001 he decided to join the criminal complaints against the police officers, then discontinued the proceedings. The Karşıyaka Assize Court allowed an appeal against that decision and on 26 December 2002 nine police officers were prosecuted. In a judgment of 7 July 2005 those officers were acquitted by the İzmir Criminal Court, which found that they had lawfully used force to apprehend a group of people who were trying to prevent an arrest. The judgment was upheld by the Court of Cassation on 18 April 2007.

Relying in particular on Article 3 (prohibition of inhuman or degrading treatment), Mr Erkuş, Mr Cenğuz and Ms Öner complained that they had been ill-treated by police officers on the site and during their questioning at the police station. They also complained that the criminal investigation against the accused police officers had been ineffective.

No violation of Article 3 (treatment and investigation) – as concerns the three applicants, on account of the events of 13 November 2001
Violation of Article 3 (treatment) – in respect of Ms Öner, on account of the events of 19 November 2001
Violation of Article 3 (investigation) – in respect of Ms Öner, on account of the events of 19 November 2001

Just satisfaction: EUR 10,000 (non-pecuniary damage) and EUR 2,950 (costs and expenses) to Ms Öner

Kahyaoğlu and Others v. Turkey (no. 37203/05)*

The applicants are six Turkish nationals: Aslan, Hasan, Osman and Celal Kahyaoğlu; Mihlet Kahyaoğlu Kurt and Saadet Kahyaoğlu Cuhalamak. They were born respectively in 1960, 1954, 1965, 1958, 1966 and 1955, and live in Şanlıurfa (Turkey).

The case concerned the allegedly insufficient amount of the compensation for expropriation granted to co-owners of land in Şanlıurfa.

The applicants were the co-owners of land which was expropriated by the Ministry of Defence and a right of way was created on a small portion of that land for the benefit of an electricity distribution company (TEİAŞ). The authorities did not use the expropriation procedure and no compensation was paid to the co-owners. On 15 November 2002 the owners brought a claim for damages in the Şanlıurfa District Court, which decided to separate the claim against TEİAŞ from that against the Ministry. In its judgment of 10 April 2003 the court upheld the co-owners' claim, awarding each one compensation of about EUR 147,515 euros; in calculating this amount the court deducted 9% to account for the loss of value resulting from the right of way. The Court of Cassation upheld that judgment on 25 July 2003.

The co-owners claimed the remaining 9% of the expropriation compensation in their action against TEİAŞ. The court took the view that the actual loss incurred by each of them amounted to about EUR 15,373, but awarded them EUR 3,638 each, applying settled case-law of the Court of Cassation according to which the percentage loss of value of land on which a right of way was created for a public authority could not exceed 2% of the actual value. That decision was upheld by the Court of Cassation on 20 October 2004 and an application for rectification by the co-owners was rejected on 7 April 2005.

Relying on Article 1 of Protocol No. 1 (protection of property) and Article 6 (right to a fair hearing), the co-owners of the land complained that the domestic courts had limited the relevant part of the compensation that was to be awarded to them to 2% of the value of the land, whereas the actual loss caused by the right of way had corresponded to 9% of that value.

Violation of Article 1 of Protocol No. 1

Just satisfaction: EUR 15,800 (pecuniary damage), EUR 1,500 (non-pecuniary damage) and EUR 500 (costs and expenses) to each applicant

Sürer v. Turkey (no. 20184/06)*

The applicants, Ahmet Sürer and Gülbeyaz Sürer, are Turkish nationals who were born in 1955 and 1961 respectively and live in Denizli (Turkey). The case concerned the death of their son, Ömer Sürer, while he was performing his compulsory military service.

After undergoing a medical examination at the armed forces office in Denizli, which found him to be fit for military service, Ömer Sürer began his service with basic training then joined the seventeenth Adaklı battalion in Bingöl.

On 29 February 2004, while he was going to his guard-post at 3 a.m., he died from a heart attack, despite the intervention of the military doctor at the scene. The autopsy showed that he died from heart failure due to constriction of the aorta, a congenital anomaly.

After taking statements from Ömer Sürer's fellow soldiers and consulting his medical record, the public prosecutor of Elazığ decided not to prosecute, finding that no fault could be attributed to a third party and that an examination of the deceased's personal file did not mention any consultation for cardiovascular problems. Mr and Ms Sürer did not challenge that decision.

At an unspecified date, Mr and Ms Sürer applied to the Ministry of Defence seeking compensation for the death of their son during his military service, under Law no. 2330 concerning the granting of an indemnity or salary to the families of persons wounded or killed while exercising a security function. On 21 February 2005 the Ministry dismissed that request. The parents then appealed to the Military Administrative High Court, which dismissed their claims on 24 November 2005, finding no causal link between the death of Ömer Sürer and his duties during his military service.

Relying on Article 2 (right to life), Mr and Ms Sürer complained that the authorities should have detected their son's condition before clearing him for military service; they also argued that the heart attack had been caused by very cold weather conditions and by the tasks assigned to their son. Under Article 6 § 1 (right to a fair hearing), Mr and Ms Sürer also complained about the lack of independence and impartiality of the two military judges sitting in the Military Administrative High Court and about the authorities' refusal to award them compensation, whereas in their view Law no. 2330 had been applicable to their situation.

No violation of Article 2
Violation of Article 6 § 1 (independent and impartial tribunal)

Just satisfaction: EUR 6,000 (non-pecuniary damage) jointly to Mr and Ms Sürer

Just satisfaction

Yianopulu v. Turkey (no. 12030/03)

The applicant, Efrosini Yianopulu, was a Greek national who died on 31 March 2009. Ms Maria Çiropulos, a Greek national who was born in 1924 and lives in Palea Apidavros (Greece), informed the Court that she wished to maintain the application in her capacity as heir.

The case concerned the refusal of the Turkish courts to recognise Ms Yianopulu as heir.

Relying on Article 1 of Protocol No. 1 (protection of property), she complained of the refusal by the Turkish courts to recognise her capacity as heir to land situated in Turkey.

In its judgment on the merits of 14 January 2014 the Court found that the refusal by the domestic courts to acknowledge Ms Yianopulu's capacity as heir constituted an interference with the exercise of her right to respect for the enjoyment of her possessions. The impugned interference was incompatible with the principle of legality and thus in breach of Article 1 of Protocol No. 1.

Today's judgment concerned the question of the application of Article 41 (just satisfaction) of the Convention.

Just satisfaction: EUR 14,300,000 (pecuniary damage), EUR 15,000 (non-pecuniary damage), and EUR 10,000 (costs and expenses) to Ms Maria Çiropulos, heir of Ms Efrosini Yianopulu.

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