



Judgments and decisions of 11 January 2018

The European Court of Human Rights has today notified in writing 27 judgments¹ and 71 decisions²: four Chamber judgments are summarised below; separate press releases have been issued for two other Chamber judgments in the cases of *Sharxhi and Others v. Albania* (application no. 10613/16) and *Cipolletta v. Italy* (no. 38259/09);

separate press releases have also been issued for two decisions, in the cases of *Anchev v. Bulgaria* (nos. 38334/08 and 68242/16) and *Bencheref v. Sweden* (no. 9602/15);

21 Committee judgments, concerning issues which have already been submitted to the Court, and the 69 other decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

The judgments summarised below are available only in English.

Arzumanyan v. Armenia (application no. 25935/08)

The case concerned the detention of the former Minister of Foreign Affairs and leader of a political movement called “Civil Disobedience” for money laundering.

The applicant, Aleksandr Arzumanyan, is an Armenian national who was born in 1959 and lives in Yerevan. He was arrested in May 2007 and placed in detention. The courts ordered his detention on the grounds of the gravity of the offence and the risk of his absconding, obstructing justice or reoffending. They then repeatedly extended his detention on similar grounds, despite Mr Arzumanyan’s objections, until his release in September on an undertaking not to leave his residence.

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, Mr Arzumanyan complained that the domestic courts had failed to sufficiently justify his detention.

Violation of Article 5 § 3

Just satisfaction: 2,000 euros (EUR) (non-pecuniary damage) and EUR 500 (costs and expenses)

United Macedonian Organisation Ilinden and Others v. Bulgaria (no. 3) (no. 29496/16)

Yordan Ivanov and Others v. Bulgaria (no. 70502/13)

Kiril Ivanov v. Bulgaria (no. 17599/07)

The first two cases concerned complaints about the authorities’ refusal to allow the registration of an association in Bulgaria, the United Macedonian Organisation Ilinden (“Ilinden”), in rulings in

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.

2014-16 and 2012-13 respectively. The third complaint concerned the banning of rallies by people who are linked to that group in September 2006 and September 2007.

Ilinden is based in south-west Bulgaria in an area known as the Pirin region. Its organisers aim to achieve the recognition of a Macedonian minority and organise commemorative events at various sites in the region. Among other things, they allege that there have been massacres of the minority in the past and that rights' problems persist. The Court has dealt with similar complaints by the group in the past and found violations of Article 11 (freedom of assembly and association) of the European Convention.

In the first of the new applications, the United Macedonian Organisation Ilinden and two of its members complained about the Bulgarian authorities' refusal to register the group as an association in court rulings delivered in 2014 at first-instance and on appeal in 2015. The Supreme Court of Cassation ruled against the admissibility of a further appeal in 2016.

One of the reasons given by the first-instance court was that it found that the stated aims of the association showed that it intended to stir up national and ethnic hatred.

The second complaint was made by nine Bulgarian nationals, of whom the first two are the chairman and deputy chairman of Ilinden, who are also applicants in the first case.

They complained about an earlier refusal by the authorities to register their group as an association in proceedings which ended after the Supreme Court of Cassation refused to admit an appeal on points of law in 2013.

As well as finding deficiencies in the registration papers, the courts also raised issues with the stated aims of the organisation. In particular, the first-instance court found that its aims were directed against the security of the rest of the country's citizens and would lead to hostile relations between Macedonians who had allegedly faced discrimination and other Bulgarians.

In the third case, Kiril Kostadinov Ivanov complained about the authorities' refusal to allow two rallies, one in September 2006 by the Macedonian Initiative Committee, and one by Ilinden in September 2007. Mr Ivanov, who is the brother of one of the applicants in the first two cases, was instrumental in organising both events. The authorities' reasons for refusing to allow the first rally included the fact that it would clash with a concert planned for the same day, particularly because Mr Ivanov's event was to be political in nature. The circumstances of the banning of the September 2007 rally were dealt with in the case of *United Macedonian Organisation Ilinden and Ivanov v. Bulgaria (No. 2)*.

The applicants in all three cases complained in particular under Article 11 (freedom of assembly and association). Mr Kiril Ivanov also complained under Article 13 (right to an effective remedy).

Violation of Article 11 – in the two first cases and, in the case of *Kiril Ivanov*, in relation only to the rally planned for 30 September 2006

Violation of Article 13 – in the case of *Kiril Ivanov*, in relation to the rally planned for 30 September 2006

Just satisfaction:

- case of *United Macedonian Organisation Ilinden and Others*: EUR 12,000 (non-pecuniary damage) and EUR 1,220 (costs and expenses) to the applicants jointly;

- case of *Yordan Ivanov and Others*: EUR 12,000 (non-pecuniary damage) and EUR 2,000 (costs and expenses) to the applicants jointly;

- case of *Kiril Ivanov*: EUR 6,000 (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.