



## One case referred to the Grand Chamber – September 2021

At its last meeting (Monday 6 September 2021) the Grand Chamber panel of five judges decided:

- to refer the case **Halet v. Luxembourg** (no. 21884/18) to the Grand Chamber of the European Court of Human Rights, and
- to reject requests to refer 16 other cases<sup>1</sup> (detailed list below).

### Referral accepted

#### [Halet v. Luxembourg \(no. 21884/18\)](#)

##### **Facts**

The case concerns Mr Halet's criminal conviction in the "Luxleaks" case for disclosing tax documents concerning some of his employer's clients.

The applicant, Raphaël Halet, is a French national who was born in 1976 and lives in Viviers (France). At the relevant time Mr Halet worked for the firm PricewaterhouseCoopers (PwC).

Relying on Article 10 (freedom of expression), Mr Halet alleged that his conviction after he had disclosed sixteen documents emanating from his employer PwC to a journalist amounted to disproportionate interference with his right to freedom of expression. Mr Halet was sentenced on appeal to pay a criminal fine of 1,000 euros and was ordered to pay a symbolic sum of 1 euro to PwC in compensation for non-pecuniary damage.

##### **Procedure**

The application was lodged with the European Court of Human Rights on 7 May 2018.

In its judgment of 30 March 2021, the Court, by a majority (five votes to two), held that there had been no violation of Article 10 (freedom of expression) of the European Convention on Human Rights. [Link to the press release](#) concerning the judgment of the Chamber of seven judges delivered on 11 May 2021.

On 18 June 2021, the applicant requested that the case be referred to the Grand Chamber.

### Requests for referral rejected

Judgments in the following 16 cases are now final<sup>2</sup>

**Strøbye and Rosenlind v. Denmark** (nos. 25802/18 and 27338/19), [judgment](#) of 2 February 2021

**Penati v. Italy** (no. 44166/15), [judgment](#) of 11 May 2021

**M.K. v. Luxembourg** (no. 51746/18), [judgment](#) of 18 May 2021

<sup>1</sup> 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.

<sup>2</sup> Under Article 44 § 2 (c) of the European Convention on Human Rights, the judgment of a Chamber becomes final when the panel of the Grand Chamber rejects the request to refer under Article 43.

**Omdahl v. Norway** (no. 46371/18), [judgment](#) of 22 April 2021  
**Epure v. Romania** (no. 73731/17), [judgment](#) of 11 May 2021  
**Istrate v. Romania** (no. 44546/13), [judgment](#) of 13 April 2021  
**Venken and Others v. Belgium** (no. 46130/14), [judgment](#) of 6 April 2021  
**Tsonyo Tsonev v. Bulgaria (no. 4)** (no. 35623/11), [judgment](#) of 6 April 2021  
**F.O. v. Croatia** (no. 29555/13), [judgment](#) of 22 April 2021  
**Petrella v. Italy** (no. 24340/07), [judgment](#) of 18 March 2021  
**Güven v. Turkey** (no. 41146/15), [judgment](#) of 4 May 2021  
**İbrahim Tokmak v. Turkey** (no. 54540/16), [judgment](#) of 18 May 2021  
**Kerestecioğlu Demir v. Turkey** (no. 68136/16), [judgment](#) of 4 May 2021  
**Naki and AMED Sportif Faaliyetler Kulübü Derneği v. Turkey** (no. 48924/16), [judgment](#) of 18 May 2021  
**Sedat Doğan v. Turkey** (no. 48909/14), [judgment](#) of 18 May 2021  
**Murat Aksoy v. Turkey** (no. 80/17), [judgment](#) of 13 April 2021

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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.