



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

SURVEY OF ACTIVITIES

2003

Information document issued by the Registrar of the European Court of Human Rights

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Note: This survey provides general information and statistics concerning the activities of the Court in 2003. Separate annual activity reports are also available for the Grand Chamber and each of the four Sections.

I. HISTORICAL BACKGROUND, ORGANISATION AND PROCEDURE

A. Historical background

The European Convention on Human Rights of 1950

1. The Convention for the Protection of Human Rights and Fundamental Freedoms was drawn up within the Council of Europe. It was opened for signature in Rome on 4 November 1950 and entered into force in September 1953. Taking as their starting point the 1948 Universal Declaration of Human Rights, the framers of the Convention sought to pursue the aims of the Council of Europe through the maintenance and further realisation of human rights and fundamental freedoms. The Convention was to represent the first steps for the collective enforcement of certain of the rights set out in the Universal Declaration.

2. In addition to laying down a catalogue of civil and political rights and freedoms, the Convention set up a mechanism for the enforcement of the obligations entered into by Contracting States. Three institutions were entrusted with this responsibility: the European Commission of Human Rights (set up in 1954), the European Court of Human Rights (set up in 1959) and the Committee of Ministers of the Council of Europe, the latter organ being composed of the Ministers of Foreign Affairs of the member States or their representatives.

3. Under the Convention in its original version, complaints could be brought against Contracting States either by other Contracting States or by individual applicants (individuals, groups of individuals or non-governmental organisations). Recognition of the right of individual application was, however, optional and it could therefore be exercised only against those States which had accepted it (Protocol No. 11 to the Convention was subsequently to make its acceptance compulsory, see paragraph 6 below).

The complaints were first the subject of a preliminary examination by the Commission, which determined their admissibility. Where an application was declared admissible, the Commission placed itself at the parties' disposal with a view to brokering a friendly settlement. If no settlement was forthcoming, it drew up a report establishing the facts and expressing an opinion on the merits of the case. The report was transmitted to the Committee of Ministers.

4. Where the respondent State had accepted the compulsory jurisdiction of the Court, the Commission and/or any Contracting State concerned had a period of three months following the transmission of the report to the Committee of Ministers within which to bring the case before the Court for a final, binding adjudication. Individuals were not entitled to bring their cases before the Court.

If a case was not referred to the Court, the Committee of Ministers decided whether there had been a violation of the Convention and, if appropriate, awarded "just satisfaction" to the victim. The Committee of Ministers also had responsibility for supervising the execution of the Court's judgments.

Subsequent developments

5. Since the Convention's entry into force twelve Protocols have been adopted. Protocols Nos. 1, 4, 6, 7, 12 and 13 added further rights and liberties to those guaranteed by the Convention, while Protocol No. 2 conferred on the Court the power to give advisory opinions. Protocol No. 9 enabled individual applicants to bring their cases before the Court subject to ratification by the respondent State and acceptance by a screening panel. Protocol No. 11 restructured the enforcement machinery (see below). The remaining Protocols concerned the organisation of and procedure before the Convention institutions.

6. From 1980 onwards, the steady growth in the number of cases brought before the Convention institutions made it increasingly difficult to keep the length of proceedings within acceptable limits. The problem was aggravated by the accession of new Contracting States from 1990. The number of applications registered annually with the Commission increased from 404 in 1981 to 4,750 in 1997. By that year, the number of unregistered or provisional files opened each year in the Commission had risen to over 12,000. The Court's statistics reflected a similar story, with the number of cases referred annually rising from 7 in 1981 to 119 in 1997.

The increasing case-load prompted a lengthy debate on the necessity for a reform of the Convention supervisory machinery, resulting in the adoption of Protocol No. 11 to the Convention. The aim was to simplify the structure with a view to shortening the length of proceedings while strengthening the judicial character of the system by making it fully compulsory and abolishing the Committee of Ministers' adjudicative role.

Protocol No. 11, which came into force on 1 November 1998, replaced the existing, part-time Court and Commission by a single, full-time Court. For a transitional period of one year (until 31 October 1999) the Commission continued to deal with the cases which it had previously declared admissible.

7. During the three years which followed the entry into force of Protocol No. 11 the Court's case-load grew at an unprecedented rate. The number of applications registered rose from 5,979 in 1998 to 13,858 in 2001, an increase of approximately 130%. Concerns about the Court's capacity to deal with the growing volume of cases led to requests for additional resources and speculation about the need for further reform.

A Ministerial Conference on Human Rights, held in Rome on 3 and 4 November 2000 to mark the 50th anniversary of the opening of the Convention for signature, had initiated a process of reflection on reform of the system. In November 2002, as a follow-up to a Ministerial Declaration on "the Court of Human Rights for Europe", the Ministers' Deputies issued terms of reference to the Steering Committee for Human Rights (CDDH) to draw up a set of concrete and coherent proposals covering measures that could be implemented without delay and possible amendments to the Convention. In May 2003 the Ministers adopted a further declaration welcoming a report by the Steering Committee and expressing the wish that the Committee of Ministers be in a position to consider, with a view to its adoption, a draft amending Protocol to the Convention at its 114th session in May 2004. New terms of reference to this effect were given to the Steering Committee.

B. Organisation of the Court

8. The European Court of Human Rights set up under the Convention as amended by Protocol No. 11 is composed of a number of judges equal to that of the Contracting States (currently forty-four). There is no restriction on the number of judges of the same nationality. Judges are elected by the Parliamentary Assembly of the Council of Europe for a term of six years. The terms of office of one half of the judges elected at the first election expired after three years, so as to ensure that the terms of office of one half of the judges are renewed every three years.

Judges sit on the Court in their individual capacity and do not represent any State. They cannot engage in any activity which is incompatible with their independence or impartiality or with the demands of full-time office. Their terms of office expire when they reach the age of seventy.

The Plenary Court elects its President, two Vice-Presidents and two Presidents of Section for a period of three years.

9. Under the Rules of Court, the Court is divided into four Sections, whose composition, fixed for three years, is geographically and gender balanced and takes account of the different legal systems of the Contracting States. Two of the Sections are presided over by the Vice-Presidents of the Court; the other two Sections are presided over by the Section Presidents. Section Presidents are assisted and where necessary replaced by Section Vice-Presidents, elected by the Sections.

10. Committees of three judges are set up within each Section for twelve-month periods.

11. Chambers of seven members are constituted within each Section on the basis of rotation, with the Section President and the judge elected in respect of the State concerned sitting in each case. Where the latter is not a member of the Section, he or she sits as an *ex officio* member of the Chamber. The members of the Section who are not full members of the Chamber sit as substitute members.

12. The Grand Chamber of the Court is composed of seventeen judges, who include, as *ex officio* members, the President, Vice-Presidents and Section Presidents.

C. Procedure before the Court

1. General

13. Any Contracting State (State application) or individual claiming to be a victim of a violation of the Convention (individual application) may lodge directly with the Court in Strasbourg an application alleging a breach by a Contracting State of one of the Convention rights. A notice for the guidance of applicants and forms for making applications may be obtained from the Registry.

14. The procedure before the European Court of Human Rights is adversarial and public. Hearings, which are held only in a minority of cases, are public, unless the Chamber/Grand Chamber decides otherwise on account of exceptional circumstances. Memorials and other documents filed with the Court's Registry by the parties are, in principle, accessible to the public.

15. Individual applicants may submit applications themselves, but legal representation is recommended, and even required for hearings or once an application has been declared admissible. The Council of Europe has set up a legal aid scheme for applicants who do not have sufficient means.

16. The official languages of the Court are English and French, but applications may be submitted in one of the official languages of the Contracting States. Once the application has been declared admissible, one of the Court's official languages must be used, unless the President of the Chamber/Grand Chamber authorises the continued use of the language of the application.

2. Admissibility procedure

17. Each individual application is assigned to a Section, whose President designates a rapporteur. After a preliminary examination of the case, the rapporteur decides whether it should be dealt with by a three-member Committee or by a Chamber.

18. A Committee may decide, by unanimous vote, to declare inadmissible or strike out an application where it can do so without further examination.

19. Individual applications which are not declared inadmissible by Committees, or which are referred directly to a Chamber by the rapporteur, and State applications are examined by a Chamber. Chambers determine both admissibility and merits, in separate decisions or where appropriate together.

20. Chambers may at any time relinquish jurisdiction in favour of the Grand Chamber where a case raises a serious question of interpretation of the Convention or where there is a risk of departing from existing case-law, unless one of the parties objects to such relinquishment within one month of notification of the intention to relinquish. In the event of relinquishment the procedure followed is the same as that set out below for Chambers.

21. The first stage of the procedure is generally written, although the Chamber may decide to hold a public hearing, in which case issues arising in relation to the merits will normally also be addressed.

22. Decisions on admissibility, which are taken by majority vote, must contain reasons and be made public.

3. Procedure on the merits

23. Once the Chamber has decided to admit the application, it may invite the parties to submit further evidence and written observations, including any claims for “just satisfaction” by the applicant. If no hearing has taken place at the admissibility stage, it may decide to hold a hearing on the merits of the case.

24. The President of the Chamber may, in the interests of the proper administration of justice, invite or grant leave to any Contracting State which is not a party to the proceedings, or any person concerned who is not the applicant, to submit written comments, and, in exceptional circumstances, to make representations at the hearing. A Contracting State whose national is an applicant in the case is entitled to intervene as of right.

25. During the procedure on the merits, negotiations aimed at securing a friendly settlement may be conducted through the Registrar. The negotiations are confidential.

4. Judgments

26. Chambers decide by a majority vote. Any judge who has taken part in the consideration of the case is entitled to append to the judgment a separate opinion, either concurring or dissenting, or a bare statement of dissent.

27. Within three months of delivery of the judgment of a Chamber, any party may request that the case be referred to the Grand Chamber if it raises a serious question of interpretation or application of the Convention or Protocols or a serious issue of general importance. Such requests are examined by a Grand Chamber panel of five judges composed of the President of the Court, the Section Presidents, with the exception of the Section President who presides over the Section to

which the Chamber that gave judgment belongs, and another judge selected by rotation from judges who were not members of the original Chamber.

28. A Chamber's judgment becomes final on expiry of the three-month period or earlier if the parties announce that they have no intention of requesting a referral or after a decision of the panel rejecting a request for referral.

29. If the panel accepts the request, the Grand Chamber renders its decision on the case in the form of a judgment. The Grand Chamber decides by a majority vote and its judgments are final.

30. All final judgments of the Court are binding on the respondent States concerned.

31. Responsibility for supervising the execution of judgments lies with the Committee of Ministers of the Council of Europe. The Committee of Ministers verifies whether States in respect of which a violation of the Convention is found have taken adequate remedial measures to comply with the specific or general obligations arising out of the Court's judgments.

5. Advisory opinions

32. The Court may, at the request of the Committee of Ministers, give advisory opinions on legal questions concerning the interpretation of the Convention and Protocols.

Decisions of the Committee of Ministers to request an advisory opinion are taken by a majority vote.

33. Advisory opinions are given by the Grand Chamber and adopted by a majority vote. Any judge may attach to the advisory opinion, a separate opinion or a bare statement of dissent.

II. COMPOSITION OF THE COURT¹

(in order of precedence)

Mr Luzius WILDHABER, President	(Swiss)
Mr Christos ROZAKIS, Vice-President	(Greek)
Mr Jean-Paul COSTA, Vice-President	(French)
Mr Georg RESS, Section President	(German)
Sir Nicolas BRATZA, Section President	(British)
Mr Gaukur JÖRUNDSSON	(Icelandic)
Mr Giovanni BONELLO	(Maltese)
Mr Lucius CAFLISCH	(Swiss) ²
Mr Loukis LOUCAIDES	(Cypriot)
Mr Pranas KŪRIS	(Lithuanian)
Mr Ireneu CABRAL BARRETO	(Portuguese)
Mr Riza TÜRMEŒ	(Turkish)
Mrs Françoise TULKENS	(Belgian)
Mrs Viera STRÁŽNICKÁ	(Slovakian)
Mr Corneliu BÎRSAN	(Romanian)
Mr Peer LORENZEN	(Danish)
Mr Karel JUNGWIERT	(Czech)
Mr Marc FISCHBACH	(Luxemburger)
Mr Volodymyr BUTKEVYCH	(Ukrainian)
Mr Josep CASADEVALL	(Andorran)
Mr Boštjan ZUPANČIČ	(Slovenian)
Mrs Nina VAJIĆ	(Croatian)
Mr John HEDIGAN	(Irish)
Mrs Wilhelmina THOMASSEN	(Netherlands)
Mr Matti PELLONPÄÄ	(Finnish)
Mrs Margarita TSATSA-NIKOLOVSKA	(citizen of “the Former Yugoslav Republic of Macedonia”)
Mrs Hanne Sophie GREVE	(Norwegian)
Mr András BAKA	(Hungarian)
Mr Rait MARUSTE	(Estonian)
Mr Egils LEVITS	(Latvian)
Mr Kristaq TRAJA	(Albanian)
Mrs Snejana BOTOCHAROVA	(Bulgarian)
Mr Mindia UGREKHELIDZE	(Georgian)
Mr Anatoly KOVLER	(Russian)
Mr Vladimiro ZAGREBELSKY	(Italian)
Mrs Antonella MULARONI	(San Marinense)
Mrs Elisabeth STEINER	(Austrian)
Mr Stanislav PAVLOVSKI	(Moldovan)
Mr Lech GARLICKI	(Polish)
M. Javier BORREGO BORREGO	(Spanish)
M ^{mc} Elisabet FURA-SANDSTRÖM	(Swedish)
M ^{mc} Alvina GYULUMYAN	(Armenian)
M. Khanlar HAJIYEV	(Azerbaijani)
Mr Paul MAHONEY, Registrar	(British)
Mr Erik FRIBERGH, Deputy Registrar	(Swedish)

¹ The seat of judge in respect of Bosnia and Herzegovina is currently vacant.

² Elected as the judge in respect of Liechtenstein.

III. SUBJECT-MATTER OF JUDGMENTS DELIVERED IN 2003

(a) Subject-matter of selected judgments, by Convention Article

Article 2 *Cases concerning the right to life*

- risk of implementation of the death penalty (*Öçalan v. Turkey*, n° 46221/99)
- death in custody and lack of an effective investigation (*Aktaş v. Turkey*, n° 24351/94)
- killing by unidentified perpetrators in 1993 and effectiveness of investigation (*Tepe v. Turkey*, n° 27244/95)
- effectiveness of investigation into a shooting allegedly carried out with the collusion of the security forces (*Finucane v. the United Kingdom*, n° 29178/95)

Article 3 *Cases concerning physical integrity*

- torture or ill-treatment in custody (*Aktaş v. Turkey*, n° 24351/94; *Hulki Güneş v. Turkey*, n° 28490/95; *Ayşe Tepe v. Turkey*, n° 29422/95; *Esen v. Turkey*, n° 29484/95; *Yaz v. Turkey*, n° 29485/95; *Elci and others v. Turkey*, n° 23145/93 and n° 25091/94)
- alleged ill-treatment on arrest and in custody and effectiveness of investigation (*Kmetty v. Hungary*, n° 57967/00)
- conditions of arrest, transfer and detention (*Öçalan v. Turkey*, n° 46221/99)
- ill-treatment of prisoners and effectiveness of investigation (*Poltoratskiy v. Ukraine*, n° 38812/97; *Kuznetsov v. Ukraine*, n° 39042/97)
- ill-treatment by prison officers (*Aliiev v. Ukraine*, n° 41220/98)
- rape of a detainee and conditions of detention (*Zeynep Avcı v. Turkey*, n° 37021/97)
- conditions of detention of prisoners sentenced to death (*Poltoratskiy v. Ukraine*, n° 38812/97; *Kuznetsov v. Ukraine*, n° 39042/97; *Nazarenko v. Ukraine*, n° 39483/98; *Dankevich v. Ukraine*, n° 40679/98; *Aliiev v. Ukraine*, n° 41220/98; *Khokhlich v. Ukraine*, n° 41707/98)
- detention regime in maximum security prison, including regular strip searches (*Van der Ven v. the Netherlands*, n° 50901/99; *Lorsé and others v. the Netherlands*, n° 52750/99)
- shackling of an elderly convict to his hospital bed (*Henaf v. France*, n° 65436/01)
- shaving of a detainee's head (*Yankov v. Bulgaria*, n° 39084/97)
- assault on a detainee by cell-mates and lack of effective investigation (*Pantea v. Romania*, n° 33343/96)
- infection of a prisoner with tuberculosis (*Khokhlich v. Ukraine*, n° 41707/98)
- adequacy of medical care provided by prison authorities to a heroin addict suffering withdrawal symptoms (*McGlinchey and others v. the United Kingdom*, n° 50390/99)
- imposition and risk of implementation of the death penalty (*Öçalan v. Turkey*, n° 46221/99)

- adequacy of the criminal law and practice in providing protection against rape (*M.C. v. Bulgaria*, n° 39272/98)
- effect of detention in a maximum security prison on a detainee's family (*Lorsé and others v. the Netherlands*, n° 52750/99)
- extradition to Uzbekistan, where there is an alleged risk of ill-treatment (*Mamatkulov and Abdurasulovic v. Turkey*, n° 46827/99)

Article 5 *Cases concerning the right to liberty and security*

- lawfulness of detention by Turkish security forces in Kenya (*Öçalan v. Turkey*, n° 46221/99)
- detention after the date on which a convicted person was entitled to release by virtue of remission of sentence (*Grava v. Italy*, n° 43522/98)
- unlawful detention on account of an error in calculating the sentence (*Pezone v. Italy*, n° 42098/98)
- detention of an elderly woman on account of her refusal to disclose her identity (*Vasileva v. Denmark*, n° 52792/99)
- unlawful detention and continued detention on remand after expiry of the detention order (*Pantea v. Romania*, n° 33343/96)
- delay in implementation of a release order (*Nikolov v. Bulgaria*, n° 38884/97)
- refusal of the Federal Court to order the release of a detainee after quashing the detention order due to the absence of reasons (*Minjat v. Switzerland*, n° 38223/97)
- lawfulness of the detention of a number of lawyers, allegedly on account of their having defended suspected terrorists (*Elci and others v. Turkey*, n° 23145/93 and n° 25091/94)
- lawfulness of detention for the purpose of psychiatric examination (*Kepenerov v. Bulgaria*, n° 39269/98; *Worwa v. Poland*, n° 26624/95)
- lawfulness of psychiatric detention (*Tkáčik v. Slovakia*, n° 42472/98; *Rakevich v. Russia*, n° 58973/00)
- lawfulness of psychiatric detention based on a diagnosis obtained by telephone and an 18-month old medical report (*Herz v. Germany*, n° 44672/98)
- detention on the basis of an untreatable mental disorder (*Hutchison Reid v. the United Kingdom*, n° 50272/99)
- lawfulness of continued detention in an airport transit zone following unsuccessful attempts to deport (*Shamsa v. Poland*, n° 45355/99 and n° 45357/99)
- lawfulness and length of detention pending extradition (*Raf v. Spain*, n° 53652/00)
- lawfulness of detention with a view to deportation (*Slivenko v. Latvia*, n° 48321/99)

- lawfulness of detention and reasonableness of detention on remand (*Shishkov v. Bulgaria*, n° 38822/97; *Nikolov v. Bulgaria*, n° 38884/97; and also *Yankov v. Bulgaria*, n° 39084/97 with regard to the second aspect)
- role of investigators and prosecutors in ordering detention (*Shishkov v. Bulgaria*, n° 38822/97; *Nikolov v. Bulgaria*, n° 38884/97; *Yankov v. Bulgaria*, n° 39084/97) [cf. *Nikolova v. Bulgaria*, judgment of 25 March 1999]
- ordering of detention on remand by a prosecutor (*Klamecki v. Poland (no. 2)*, n° 31583/96) [cf. *Niedbala v. Poland*, judgment of 4 July 2000]
- ordering of detention on remand by a prosecutor and failure to bring promptly before a judge (*Pantea v. Romania*, n° 33343/96)
- failure to bring a detainee promptly before a judge in a region subject to a state of emergency (*Şen v. Turkey*, n° 41478/98)
- length of detention on remand: presumption of dangerous character of persons accused of certain serious crimes (*Pantano v. Italy*, n° 60851/00)
- length of detention on remand (*Klamecki v. Poland (no. 2)*, n° 31583/96; *Smirnova v. Russia*, n° 46133/99 and n° 48183/99; *Hristov v. Bulgaria*, n° 35436/97; *Mihov v. Bulgaria*, n° 35519/97; *Al Akidi v. Bulgaria*, n° 35825/97; *Goral v. Poland*, n° 38654/97; *Matwiejczuk v. Poland*, n° 37641/97; *Imre v. Hungary*, n° 53129/99; *Yankov v. Bulgaria*, n° 39084/97)
- absence of any possibility for a detainee to attend or be represented at hearings on detention on remand (*Klamecki v. Poland (no. 2)*, n° 31583/96)
- denial of access to the file in connection with appeals against detention on remand (*Shishkov v. Bulgaria*, n° 38822/97; *Nikolov v. Bulgaria*, n° 38884/97)
- absence of review of the lawfulness of detention and failure to summon a lawyer for a hearing (*Shishkov v. Bulgaria*, n° 38822/97)
- absence of a right for a psychiatric detainee to institute proceedings for review of the lawfulness of detention (*Rakevich v. Russia*, n° 58973/00)
- absence of any possibility to obtain a review of the lawfulness of detention (*Öçalan v. Turkey*, n° 46221/99)
- absence of review of the lawfulness of continuing detention on the basis of a mandatory life sentence, after expiry of the tariff period (*Von Bülow v. the United Kingdom*, n° 75362/01; *Wynne v. the United Kingdom (no. 2)*, n° 67385/01) [cf. *Stafford v. the United Kingdom*, judgment of 28 May 2002]
- refusal of the courts to examine the lawfulness of detention after expiry of the detention order (*Herz v. Germany*, n° 44672/98)
- remittal by the Federal Court to a cantonal court of the question of the lawfulness of detention after quashing the detention order (*Minjat v. Switzerland*, n° 38223/97)
- scope of court review of the lawfulness of detention and non-disclosure of the prosecutor's submissions (*Hristov v. Bulgaria*, n° 35436/97; *Mihov v. Bulgaria*, n° 35519/97; and also *Yankov v. Bulgaria*, n° 39084/97 with regard to the first aspect)

- burden of proof on a detainee to show the absence of any mental disorder requiring continued detention (*Hutchison Reid v. the United Kingdom*, n° 50272/99)
- length of time taken to decide on requests for release from detention on remand (*Nikolov v. Bulgaria*, n° 38884/97; *Pantea v. Romania*, n° 33343/96)
- absence of any possibility of speedy review of the lawfulness of detention with a view to extradition (*Kadem v. Malta*, n° 55263/00)
- speed of review of the lawfulness of continuing detention on the basis of a mental disorder (*Hutchison Reid v. the United Kingdom*, n° 50272/99)
- length of time taken to decide on the lawfulness of psychiatric detention (*Herz v. Germany*, n° 44672/98)
- absence of a right to compensation (*Pantea v. Romania*, n° 33343/96; *Wynne v. the United Kingdom (no. 2)*, n° 67385/01; *Yankov v. Bulgaria*, n° 39084/97; *Pezone v. Italy*, n° 42098/98)

Article 6 *Cases concerning the right to a fair trial*

- restrictions on a bankrupt's right to institute court proceedings (*Luordo v. Italy*, n° 32190/96)
- access to court to contest the placing of a bank under compulsory administration (*Credit and Industrial Bank v. the Czech Republic*, n° 29010/95)
- effectiveness of a detainee's access to court to challenge special security measures (*Ganci v. Italy*, n° 41576/98)
- exclusion of court review of the lawfulness of the decisions of an administrative body (*Glod v. Romania*, n° 41134/98)
- absence of a court determination of liability to pay a receiver's fee (*Stockholms Försäkrings- och Skadeståndsjuridik AB v. Sweden*, n° 38993/97)
- non-enforcement of a court decision relating to compensation in respect of previously nationalised property (*Jasiūnienė v. Lithuania*, n° 41510/98)
- failure of the authorities to comply with a court judgment (*Kyrtatos v. Greece*, n° 41666/98) and prolonged non-enforcement of court decisions (*Ruianu v. Romania*, n° 34647/97; *Timofeyev v. Russia*, n° 58263/00; *Karahalios v. Greece*, n° 62503/00)
- supervisory review of a final and binding judgment (*Ryabykh v. Russia*, n° 52854/99)
- parliamentary immunity attaching to alleged defamation by a Member of Parliament (*Cordova v. Italy (no. 1)*, n° 40877/98; *Cordova v. Italy (no. 2)*, n° 45649/99)
- refusal to institute criminal proceedings on the basis of a civil complaint, on the ground of the immunity enjoyed by judges (*Ernst and others v. Belgium*, n° 33400/96)
- legislation staying all proceedings relating to claims for damages resulting from acts of members of the army or police during the war in Croatia (*Multiplex v. Croatia*, n° 58112/00; *Aćimović v. Croatia*, n° 61237/00) and to claims for damages in respect of terrorist acts (*Kastelic v. Croatia*, n° 60533/00) [cf. *Kutić v. Croatia*, judgment of 1 March 2002]

- adoption of legislation affecting the outcome of pending court proceedings (*Forrer-Niedenthal v. Germany*, n° 47316/99)
- adoption of successive decrees, depriving court decisions of effect (*Satka and others v. Greece*, n° 55828/00)
- adoption, during court proceedings, of a law excluding court review of the decisions of a particular administrative body (*Crişan v. Romania*, n° 42930/98)
- dismissal as out of time of an appeal lodged with the duty court within the time-limit (*Stone Shipping Company S.A. v. Spain*, n° 55524/00)
- effect on civil claims of the time-bar of a prosecution as a result of procedural delays (*Anagnostopoulos v. Greece*, n° 54589/00)
- dismissal of an appeal by the *Conseil d'Etat* on the basis of the binding opinion of the Ministry of Foreign Affairs as to non-respect of a condition of reciprocity in relation to an international agreement (*Chevrol v. France*, n° 49636/99)
- arbitrariness of a court decision (*A.B. v. Slovakia*, n° 41784/98)
- failure of a court to give reasons for the refusal to admit evidence proposed by a party (*Suominen v. Finland*, n° 37801/97)
- lack of a fair hearing in proceedings concerning the unification of plots of land owned by the same person (*Kienast v. Austria*, n° 23379/94)
- fairness of proceedings concerning reimbursement of the costs of gender re-assignment surgery and hormone treatment (*Van Kück v. Germany*, n° 35968/97)
- non-disclosure of documents (*Ernst and others v. Belgium*, n° 33400/96)
- non-disclosure to a party of documents submitted to the Supreme Administrative Court in proceedings relating to competition law (*The Fortum Corporation v. Finland*, n° 32559/96)
- lack of equality of arms on account of the role of the Government Commissioner in proceedings relating to expropriation (*Yvon v. France*, n° 44962/98)
- non-disclosure to a party in civil proceedings of additional submissions made by the opposing party's lawyer, and omission of the appeal court to communicate the entire case-file to the appellants after their lawyer stopped representing them (*Walston v. Norway*, n° 37372/97)
- refusal to appoint a lawyer to represent a disabled person and holding of a hearing in her absence (*A.B. v. Slovakia*, n° 41784/98)
- refusal of successive lawyers to represent a legally aided applicant in bringing a damages action against another lawyer (*Bertuzzi v. France*, n° 36378/97)
- role of the Council of State in applying legislation on which it had previously given an advisory opinion (*Kleyn and others v. the Netherlands*, n° 39343/98, n° 39651/98, n° 43147/98 and n° 46664/99)

- dismissal of an appeal on points of law on account of the appellant's failure to show he was in detention by virtue of the judgment appealed against, and absence of any opportunity to contest that ground (*Skondrianos v. Greece*, n° 63000/00, n° 74291/01 and n° 74292/01)
- lack of impartiality of a judge on account of her husband's indebtedness to one of the parties (*Sigurðsson v. Iceland*, n° 39731/98)
- lack of impartiality of a judge on account of his part-time employment as an associate professor by a university party to the proceedings (*Pescador Valero v. Spain*, n° 62435/00)
- conviction on appeal by the prosecution, without hearing the accused in person (*Sigurþór Arnarsson v. Iceland*, n° 44671/98)
- fixing of the tariff period of a sentence by the Secretary of State after lengthy delay (*Easterbrook v. the United Kingdom*, n° 48015/99)
- refusal of a court to refer a preliminary question to the Court of Arbitration (*Ernst and others v. Belgium*, n° 33400/96)
- refusal to allow evidence requested by an accused (*Papageorgiou v. Greece*, n° 59506/00)
- refusal to admit evidence requested by the accused in a defamation case (*Perna v. Italy*, n° 48898/99)
- non-disclosure of material by the prosecution (*Dowsett v. the United Kingdom*, n° 39482/98) and non-disclosure by the prosecution, on grounds of public interest immunity, of material potentially relevant to defence of entrapment (*Edwards and Lewis v. the United Kingdom*, n° 39647/98 and n° 40461/98)
- fairness of extradition proceedings (*Mamatkulov and Abdurasulovic v. Turkey*, n° 46827/99)
- refusal to allow convicted prisoners to be legally represented in prison disciplinary proceedings (*Ezeh and Connors v. the United Kingdom*, n° 39665/98 and n° 40086/98)
- absence of public hearings and public delivery of decisions during a preliminary criminal investigation (*Ernst and others v. Belgium*, n° 33400/96)
- independence and impartiality of courts martial (*Cooper v. the United Kingdom*, n° 48843/99; *Grieves v. the United Kingdom*, n° 57067/00)
- impartiality of judges in interlocutory proceedings (*Korellis v. Cyprus*, n° 54528/00)
- dismissal by a judge of an appeal against the refusal of legal aid by the Legal Aid Board, which he had presided (*Gutfreund v. France*, n° 45681/99)
- non-compliance with the rules on participation of lay judges in criminal trials (*Posokhov v. Russia*, n° 63486/00)
- seizure of a book as an interim measure pending criminal proceedings (*Yaşar Kemal Gökçeli v. Turkey*, n° 27215/95 and n° 36194/97)
- refusal of compensation following acquittal, on the ground of failure to show on the balance of probabilities that the accused had not committed the acts in question (*O. v. Norway*, n° 29327/98; *Hammern v. Norway*, n° 30287/96)

- award of compensation in civil proceedings against persons previously acquitted of criminal offences concerning the same facts (*Ringvold v. Norway*, n° 34964/97; *Y. v. Norway*, n° 56568/00)
- refusal of costs and compensation for detention on remand, following discontinuation of criminal proceedings, on the ground that the person would probably have been convicted (*Baars v. the Netherlands*, n° 44320/98)
- refusal to appoint a Finnish-speaker as court-appointed defence counsel (*Lagerblom v. Sweden*, n° 26891/95)
- denial of access to a lawyer during the initial period of custody, supervision of subsequent consultations with lawyers and restrictions on visits by lawyers, and restrictions on access to the file (*Öçalan v. Turkey*, n° 46221/99)
- denial of access to a lawyer during pre-trial questioning (*Pantea v. Romania*, n° 33343/96)
- use at trial of statements made by witnesses who did not attend in person (*Hulki Güneş v. Turkey*, n° 28490/95)
- absence of any opportunity for an accused, in proceedings to contest conviction *in absentia*, to question witnesses who failed to appear, having given statements during the initial investigation (*Rachdad v. France*, n° 71846/01)

Article 7 *Cases concerning non-retroactivity of criminal offences and penalties*

- retroactive application of the criminal law (*Veeber v. Estonia (no. 2)*, n° 45771/99)
- lack of clarity of the law (*Yaşar Kemal Gökçeli v. Turkey*, n° 27215/95 and n° 36194/97)
- detention after the date on which a convicted person was entitled to release by virtue of remission of sentence (*Grava v. Italy*, n° 43522/98)
- failure of the courts to apply the applicable reduction of sentence after finding diminished responsibility of the accused (*Gabbari Moreno v. Spain*, n° 68066/01)

Article 8 *Cases concerning the right to respect for private and family life, home and correspondence*

- compulsory gynaecological examination of the applicant's wife while in detention (*Y.F. v. Turkey*, n° 24209/94)
- successive compulsory psychiatric examinations (*Worwa v. Poland*, n° 26624/95)
- adequacy of the criminal law and practice in providing protection against rape (*M.C. v. Bulgaria*, n° 39272/98)
- refusal to return an identity card on release from detention on remand (*Smirnova v. Russia*, n° 46133/99 and n° 48183/99)
- inability of a person abandoned at birth to discover her mother's identity, on account of the latter's request for confidentiality (*Odievre v. France*, n° 42326/98)

- refusal to order reimbursement by a private insurance company of the costs of gender re-assignment surgery and hormone treatment (*Van Kück v. Germany*, n° 35968/97)
- deportation, in the context of the withdrawal of Russian troops, of a former military officer's wife and daughter, who had always lived in Latvia (*Slivenko v. Latvia*, n° 48321/99)
- covert filming of a suspect at a police station for identification purposes (*Perry v. the United Kingdom*, n° 63737/00)
- disclosure to the public of CCTV images recorded in a public place (*Peck v. the United Kingdom*, n° 44647/98)
- adequacy of the legal basis for interception of telephone calls (*Prado Bugallo v. Spain*, n° 58496/00)
- recording of a telephone conversation by one party with the assistance of the police (*M.M. v. the Netherlands*, n° 39339/98)
- release into the public domain of transcripts of telephone calls intercepted in the context of criminal proceedings and reading out of the transcripts at trial (*Craxi v. Italy (no. 2)*, n° 25337/94)
- search of a lawyer's office (*Roemen and Schmit v. Luxembourg*, n° 51772/99)
- search of lawyers' homes and offices and seizure of documents (*Elci and others v. Turkey*, (n° 23145/93 and n° 25091/94)
- search of journalists' homes and workplaces and seizure of documents (*Ernst and others v. Belgium*, n° 33400/96)
- adverse effects of development on the environment (*Kyrtatos v. Greece*, n° 41666/98)
- noise nuisance from night flights (*Hatton and others v. the United Kingdom*, n° 36022/97)
- refusal to allow a homosexual to succeed to his deceased cohabitee's tenancy rights (*Karner v. Austria*, n° 40016/98)
- denial of conjugal visits to a prisoner (*Aliev v. Ukraine*, n° 41220/98)
- effect of the length of divorce proceedings on the possibility of starting a new family (*Berlin v. Luxembourg*, n° 44978/98)
- refusal to grant fathers access to children born out of wedlock (*Sahin v. Germany*, n° 30943/96; *Sommerfeld v. Germany*, n° 31871/96)
- arrest allegedly carried out in the presence of a child then left unattended (*Worwa v. Poland*, n° 26624/95)
- taking of children into care, sufficiency of parent's involvement in the procedure and failure of the authorities to take proper steps to reunite parents and children (*K.A. v. Finland*, n° 27751/95)

- taking of children into care on an emergency basis, in an allegedly traumatic way and without giving the parents an opportunity to contest the decision, prolonged suspension of contact between the parents and the children, placement of the latter in separate foster homes, procedural delays in the care proceedings and absence of any appeal against an interim order (*Covezzi and Morselli v. Italy*, n° 52763/99)
- suspension of a decision on a father's access to his child pending criminal proceedings concerning alleged sexual abuse, and adequacy of the measures taken to restore his right of access to the child following his acquittal (*Schaal v. Luxembourg*, n° 51773/99)
- adequacy of the measures taken by the authorities to enforce court decisions ordering return of children to their father (*Sylvester v. Austria*, n° 36812/97 and n° 40104/98), to secure the return of children to their mother (*Iglesias Gil and A.U.I. v. Spain*, n° 56673/00; *Maire v. Portugal*, n° 48206/99) and to enforce a mother's right of access to her children (*Sophia Guðrún Hansen v. Turkey*, n° 36141/97)
- prolonged prohibition on a detainee's contact with his wife, by visits or telephone (*Klamecki v. Poland (no. 2)*, n° 31583/96) and restrictions on a detainees' contacts with others, including restrictions on family visits (*Van der Ven v. the Netherlands*, n° 50901/99; *Lorsé and others v. the Netherlands*, n° 52750/99)
- effect of detention on family life, alleged refusal to allow a wife to visit a detainee and alleged interference with correspondence (*Pantea v. Romania*, n° 33343/96)
- legal basis for restrictions on family visits to prisoners (*Poltoratskiy v. Ukraine*, n° 38812/97; *Kuznetsov v. Ukraine*, n° 39042/97; *Khokhlich v. Ukraine*, n° 41707/98)
- expulsion of a second-generation immigrant (*Yilmaz v. Germany*, n° 52853/99; *Mokrani v. France*, n° 52206/99), expulsion of a foreign national after a lengthy period of residence (*Benhebba v. France*, n° 53441/99) and deportation of a 16-year old to Bosnia-Herzegovina, where he had no close relatives (*Jakupovic v. Austria*, n° 36757/97)
- delay in allowing the return of a foreign national following a finding by the Court that his expulsion violated Article 8, and refusal to lift an exclusion order (*Mehemi v. France (no. 2)*, n° 53470/99)
- legal basis for restrictions on prisoners' correspondence and/or receipt of parcels (*Poltoratskiy v. Ukraine*, n° 38812/97; *Kuznetsov v. Ukraine*, n° 39042/97; *Nazarenko v. Ukraine*, n° 39483/98; *Dankevich v. Ukraine*, n° 40679/98; *Aliev v. Ukraine*, n° 41220/98; *Khokhlich v. Ukraine*, n° 41707/98)
- control of and delays by the authorities in transmitting a prisoner's correspondence with the Convention organs, and failure to provide writing materials (*Cotleț v. Romania*, n° 38565/97)
- control of detainees' correspondence with the Convention organs (*Klamecki v. Poland (no. 2)*, n° 31583/96; *Goral v. Poland*, n° 38654/97; *Mianowski v. Poland*, n° 42083/98; *Matwiejczuk v. Poland*, n° 37641/97)
- restrictions on bankrupts' receipt of correspondence (*Luordo v. Italy*, n° 32190/96; *Bottardo v. Italy*, n° 56298/00; *Peroni v. Italy*, n° 44521/98; *Bassani v. Italy*, n° 47778/99)

Article 9 *Cases concerning freedom of religion and belief*

- absence of a legal basis for restrictions on prisoners being visited by a priest (*Poltoratskiy v. Ukraine*, n° 38812/97; *Kuznetsov v. Ukraine*, n° 39042/97)

Article 10 *Cases concerning freedom of expression*

- abduction and murder of a journalist (*Tepe v. Turkey*, n° 27244/95)
- conviction for insulting a public prosecutor (*Lesnik v. Slovakia*, n° 35640/97)
- conviction of a journalist for defamation of a prosecutor by alleging abuse of his position for political ends (*Perna v. Italy*, n° 48898/99)
- conviction of the producers of a television programme for defamation of a senior police officer (*Pedersen and Baadsgaard v. Denmark*, n° 49017/99)
- conviction for insulting judges in a letter (*Skalka v. Poland*, n° 43425/98)
- conviction of journalists for defamation (*Cumpănă and Mazăre v. Romania*, n° 33348/96)
- conviction of a journalist and an award of damages against a magazine for defamation (*Scharsach and News Verlagsgesellschaft v. Austria*, n° 39394/98)
- search of journalists' homes and workplaces with a view to obtaining evidence in connection with a criminal investigation concerning third parties (*Ernst and others v. Belgium*, n° 33400/96)
- search of a journalist's home and workplace with a view to discovering his sources (*Roemen and Schmit v. Luxembourg*, n° 51772/99)
- order by an appeal court, when quashing a first instance decision, to pay a coercive indemnity (relating to inadequate publication of notice of the proceedings) for the period of the appeal proceedings (*Krone Verlag GmbH & CoKG v. Austria (no. 2)*, n° 40284/98)
- refusal of permission to solicit signatures for a petition in a privately owned town centre shopping mall (*Appleby and others v. the United Kingdom*, n° 44306/98)
- refusal to authorise a religious advertisement on radio (*Murphy v. Ireland*, n° 44179/98)
- prohibition by prefectural decision on the distribution of certain newspapers in an area under a state of emergency (*Çetin and others v. Turkey*, n° 40153/98 and n° 40160/98)
- seizure of a book on the ground that it contained passages inciting to racial hatred (*C.S.Y. v. Turkey*, n° 27214/95)
- convictions for incitement to hostility and hatred (*Karkin v. Turkey*, n° 43928/98; *Yaşar Kemal Gökçeli v. Turkey*, n° 27215/95 and n° 36194/97), incitement to hostility and hatred based on religion (*Gündüz v. Turkey*, n° 35071/97) and making separatist propaganda (*Kizilyaprak v. Turkey*, n° 27528/95)

- disciplinary action against a lawyer on account of statements made in his professional capacity during court proceedings (*Steur v. the Netherlands*, n° 39657/98)
- disciplinary punishment of a detainee for insulting officials in the draft manuscript of a book (*Yankov v. Bulgaria*, n° 39084/97)
- injunction prohibiting an advertisement comparing the prices of two newspapers without referring to their different reporting styles on certain subjects (*Krone Verlag GmbH v. Austria (no. 3)*, n° 39069/97)

Article 11 *Cases concerning freedom of association*

- refusal of permission to meet in a privately-owned shopping mall to solicit signatures for a petition (*Appleby and others v. the United Kingdom*, n° 44306/98)
- refusal of permission to cross from northern to southern Cyprus to attend bi-communal meetings (*Djavit An v. Turkey*, n° 20652/92)
- dissolution of political parties (*Refah Partisi [Prosperity Party] and others v. Turkey*, n° 41340/98, n° 41342/98, n° 41343/98 and n° 41344/98; *STP [Socialist Party of Turkey] and others v. Turkey*, n° 26482/95)

Article 13 *Cases concerning the availability of effective remedies*

- lack of an effective remedy to enforce the demolition of an illegal building (*Dactylidi v. Greece*, n° 52903/99)
- lack of an effective remedy to challenge the obligation to pay a receiver's fee from a bankruptcy estate, despite the quashing of the declaration of bankruptcy (*Stockholms Försäkrings- och Skadeståndsjuridik AB v. Sweden*, n° 38993/97)
- hindrance of access to an effective remedy (*Khokhlich v. Ukraine*, n° 41707/98)
- scope of judicial review (*Hatton and others v. the United Kingdom*, n° 36022/97)
- lack of an effective remedy in respect of restrictions on a bankrupt's correspondence (*Bottardo v. Italy*, n° 56298/00)

Article 14 *Cases concerning the prohibition of discrimination*

- different age of consent for homosexual acts between adults and adolescents (*L. and V. v. Austria*, n° 39392/98 and n° 39829/98; *S.L. v. Austria*, n° 45330/99)
- discrimination against fathers of children born out of wedlock (*Sahin v. Germany*, n° 30943/96; *Sommerfeld v. Germany*, n° 31871/96)
- absence of a right of appeal in access proceedings brought by the father of a child born out of wedlock (*Sommerfeld v. Germany*, n° 31871/96)
- fixing of children's residence with their father after divorce, on the ground of the adverse effects of being brought up by their mother, a Jehovah's Witness (*Palau-Martinez v. France*, n° 64927/01)

- discrimination in the refusal of restitution of property on the ground that the claimant was not a permanent resident (*Jantner v. Slovakia*, n° 39050/97)
- discrimination in the right of access to court on account of the immunity enjoyed by judges (*Ernst and others v. Belgium*, n° 33400/96)
- refusal to grant a handicap allowance to a non-national (*Koua Poirrez v. France*, n° 40892/98)

Article 1 of Protocol No. 1 *Cases concerning the right of property*

- obligation to pay a receiver's fee from a bankruptcy estate, despite the quashing of the declaration of bankruptcy (*Stockholms Försäkrings- och Skadeståndsjuridik AB v. Sweden*, n° 38993/97)
- effect of the excessive length of bankruptcy procedures (*Luordo v. Italy*, n° 32190/96; *Bottardo v. Italy*, n° 56298/00; *Peroni v. Italy*, n° 44521/98; *S.C. and V.P. v. Italy*, n° 52985/99; *Bassani v. Italy*, n° 47778/99)
- effect of supervisory review on a claim relating to revaluation of savings (*Ryabykh v. Russia*, n° 52854/99)
- compulsory reafforestation of land on the basis of a ministerial decision of 1934, without re-examination (*Papastavrou and others v. Greece*, n° 46372/99)
- delays by the authorities in payment of sums awarded by courts (*Timofeyev v. Russia*, n° 58263/00; *Karahalios v. Greece*, n° 62503/00)
- lengthy delays in payment of tax rebates (*Buffalo s.r.l. in liquidation v. Italy*, n° 38746/97)
- demolition of a house built unlawfully on jointly owned land, while proceedings for division of ownership were pending (*Allard v. Sweden*, n° 35179/97)
- denial of an option to extend a lease from a local authority, on the ground that the granting of the option was *ultra vires* (*Stretch v. the United Kingdom*, n° 44277/98)
- nationalisation of property by the Soviet authorities, subsequent refusal to return the property to the heirs of the original owner and non-enforcement of a court decision relating to compensation (*Jasiūnienė v. Lithuania*, n° 41510/98)
- refusal to reimburse VAT payments made on the basis of legislation incompatible with a directive of the European Communities (*SA Cabinet Diot and SA Gras Savoye v. France*, n° 49217/99 and n° 49218/99) [cf. *SA Dangeville v. France*, judgment of 16 April 2002]
- refusal to order the return of confiscated coins, on account of a failure to specify their whereabouts (*Kopecký v. Slovakia*, n° 44912/98)
- presumption of benefit accruing from expropriation (*Efstathiou and Michailidis & Cie Motel Amerika v. Greece*, n° 55794/00; *Konstantopoulos AE and others v. Greece*, n° 58634/00; *Interoliva ABEE v. Greece*, n° 58642/00; *Biozokat A.E. v. Greece*, n° 61582/00)

- occupation of land in 1967 and adequacy of compensation in respect of subsequent expropriation in 1999 (*Karagiannis and others v. Greece*, n° 51354/99)
- refusal to return property transformed into “property of the people” in the German Democratic Republic, or to award compensation, on the basis of a new law validating the transfer (*Forrer-Niedenthal v. Germany*, n° 47316/99)
- refusal of restitution of property on the ground that the claimant was not a permanent resident (*Jantner v. Slovakia*, n° 39050/97)
- unification, for the purposes of registration, of plots of land owned by the same person (*Kienast v. Austria*, n° 23379/94)
- absence of compensation in respect of expropriation in 1973 (*Nastou v. Greece*, n° 51356/99)
- adequacy of compensation for expropriation (*Guerrera and Fusco v. Italy*, n° 40601/98; *Yiltaş Yildiz Turistik Tesisleri A.Ş. v. Turkey*, n° 30502/96)
- failure of the authorities to comply with a court order to grant a building permit (*Frascino v. Italy*, n° 35227/97)
- prolonged restrictions on the use of property as a result of successive decrees classifying the property for public use (*Satka and others v. Greece*, n° 55828/00)

Article 2 of Protocol No. 4 *Cases concerning principally freedom of movement*

- restrictions on bankrupts’ freedom of movement (*Luordo v. Italy*, n° 32190/96; *Bottardo v. Italy*, n° 56298/00; *Peroni v. Italy*, n° 44521/98; *Bassani v. Italy*, n° 47778/99)
- confiscation of a passport by a customs officer and failure to return it until two years later (*Napijalo v. Croatia*, n° 66485/01)

(b) Judgments dealing exclusively with issues already examined by the Court

- 202 cases concerned the length of civil or administrative proceedings in: France (56 judgments, including five friendly settlements), Poland (56 judgments, including 20 friendly settlements and two striking out judgments), Slovakia (22 judgments, including eight friendly settlements), Hungary (14 judgments, including two friendly settlements and a striking out judgment), Portugal (14 judgments, including one friendly settlement), Greece (eight judgments, including two friendly settlements), Belgium (seven judgments, including one friendly settlement), Germany (six judgments, including one friendly settlement – in four of the judgments, the length of proceedings before the Federal Constitutional Court was at least partly at issue), Austria (five judgments), the Czech Republic (four judgments), Croatia and the United Kingdom (two judgments each), Bulgaria, Cyprus, Estonia, Ireland, the Netherlands and San Marino (one judgment each)

- 33 cases concerned the length of criminal proceedings in: France (nine judgments, including one friendly settlement – one case also concerned the length of several sets of administrative proceedings), Greece (four judgments), Spain (three judgments, in one of which the principal issue concerned the length of proceedings before the Constitutional Court), Poland and Austria (three judgments, including one friendly settlement each), Turkey (two judgments, including one friendly settlement each), Bulgaria, Lithuania and Portugal (two judgments each – the

Portuguese ones related to the effect of the length on civil parties (*assistentes*)), Estonia, Luxembourg and the United Kingdom (one judgment each)

- 123 cases (including 29 friendly settlements and three striking out judgments) concerned the impossibility for landlords in Italy to recover possession of their properties, on account of the system of staggering police assistance to enforce evictions (cf. the leading judgment of *Immobiliare Saffi v. Italy*, judgment of 28 July 1999)

- 48 cases (including two friendly settlements) concerned the lack of independence and impartiality of State Security Courts in Turkey (cf. the leading judgments of *Incal v. Turkey*, judgment of 9 June 1998, and *Çiraklar v. Turkey*, judgment of 28 October 1998) [the same issue also arose in a further 10 judgments, in three of which the only other issue was the length of the criminal proceedings, while in a further case the only other issues were the length of the proceedings and the length of the detention on remand]

- 22 cases (including three striking out judgments) concerned the annulment of final decisions ordering the restitution of property in Romania and/or the exclusion of the jurisdiction of the courts in the matter (cf. the leading judgment of *Brumărescu v. Romania*, judgment of 28 October 1999)

- 12 friendly settlement judgments and one striking out judgment concerned deaths in custody (three cases), ill-treatment of detainees (seven cases) or disappearances (three cases) in Turkey

- seven friendly settlement judgments concerned the failure to bring detainees promptly before a judge in Turkey and, in some of the cases, the absence of a right to review [this issue also arose in two other cases, in both of which a violation was found]

- a further two friendly settlements concerned both ill-treatment of detainees and failure to bring them promptly before a judge in Turkey

- nine cases (including one friendly settlement) concerned various aspects of the right to an adversarial procedure and equality of arms in proceedings before the Court of Cassation in France, in particular the non-disclosure of the report of the *conseiller rapporteur* (cf. *Reinhardt and Slimane-Kaïd v. France*, judgment of 31 March 1998, *Slimane-Kaïd v. France*, judgment of 25 January 2000), the position of unrepresented appellants (*Meftah v. France*, judgment of 26 July 2002) and the presence of the *avocat général* during the court's deliberations (cf. *Kress v. France*, judgment of 7 June 2000, which concerned the procedure before the *Conseil d'Etat*)

- four cases (including three friendly settlements) concerned the destruction of possessions and homes by the security forces in Turkey [one friendly settlement also concerned the killing of an applicant's brother]

- three cases (including two friendly settlements) concerned delays in payment of compensation for expropriations in Turkey (cf. the leading judgment of *Akkus v. Turkey*, judgment of 9 July 1997)

- three cases concerned the absence of a legal basis for the installation of listening devices on private property in the United Kingdom (cf. *Khan v. the United Kingdom*, judgment of 12 May 2000)

- two cases concerned the denial of access to property in northern Cyprus (cf. *Loizidou v. Turkey*, judgment of 18 December 1996)

- two cases concerned the striking out of cassation appeals in France on the ground of the appellants' failure to implement fully the judgment appealed against (cf. *Annoni di Gussola and others v. France*, judgment of 14 November 2000)
- two cases concerned the lack of an oral hearing in administrative proceedings in Austria
- two cases concerned the lack of an oral hearing in criminal appeals in San Marino (cf. *Tierce and others v. San Marino*, judgment of 25 July 2000)
- one friendly settlement concerned the unavailability of certain widows' benefits to widowers in the United Kingdom (cf. *Willis v. the United Kingdom*, judgment of 11 June 2002)
- one friendly settlement concerned the dismissal of a homosexual from the armed forces in the United Kingdom following an investigation into his private life (cf. *Lustig-Prean and Beckett v. the United Kingdom* and *Smith and Grady v. the United Kingdom*, judgments of 27 September 1999)

(c) Friendly settlement judgments

In addition to the friendly settlement judgments mentioned above, friendly settlements were reached in cases concerning the following issues:

- shooting of a shepherd by soldier in 1994 and effectiveness of investigation (*Güler and others v. Turkey*, n° 46649/99)
- killing by unidentified perpetrators in 1994 and effectiveness of investigation (*Macir v. Turkey*, n° 28516/95) and effectiveness of investigation into killings carried out by unidentified perpetrators (*Kara and others v. Turkey*, n° 37446/97)
- ill-treatment in police custody, failure to bring a detainee promptly before a judge and denial of access to lawyer (*Ülkü Doğan and others v. Turkey*, n° 32270/96)
- ill-treatment in police custody and lawfulness of detention (*Ramazan Sari v. Turkey*, n° 41926/98)
- conditions of detention, length of detention on remand and control of detainee's correspondence with the European Commission of Human Rights (*P.K. v. Poland*, n° 37774/97)
- failure of social services to protect children from sexual abuse by foster parents (*Z.W. v. the United Kingdom*, n° 34962/97)
- length of detention and length of criminal proceedings (*Külter v. Turkey*, n° 42560/98)
- failure of authorities to comply with a court judgment (*Halatas v. Greece*, n° 64825/01)
- access to court: dismissal of "repetitive" cassation appeal in criminal proceedings (*Siaurusevicius v. Lithuania*, n° 50551/99)
- inadequacy of reasons given by a court (*Cohen and Smadja v. France*, n° 53607/99)
- length of criminal proceedings, independence and impartiality of a martial law court and lack of adequate time and facilities to prepare a defence (*Değirmenci and others v. Turkey*, n° 31879/96)

- changes in the composition of a court – in particular the lay judges – during the course of criminal proceedings (*Eerola v. Finland*, n° 42059/98)
- lack of an oral hearing in criminal proceedings (*Ercolani v. San Marino*, n° 35430/97)
- refusal to allow lawyer to represent an accused who did not appear in person, purportedly on account of old age and dementia (*Hyvönen v. Finland*, n° 52529/99)
- eviction of Slovak nationals from their homes, length of civil proceedings and discrimination (*Červeňáková v. the Czech Republic*, n° 40226/98)
- convictions for insulting the State (*Demirtaş v. Turkey*, n° 37048/97; *Erkanli v. Turkey*, n° 37721/97)
- conviction for making separatist propaganda (*Caralan v. Turkey*, n° 27529/95) and for disseminating propaganda supporting a terrorist organisation (*Zarakolu v. Turkey*, n° 32455/96) [both these cases also raised the issue of the independence and impartiality of State Security Courts]
- seizure of book considered to contain separatist propaganda and incitement to hatred and hostility (*Zarakolu v. Turkey (no. 1)*, n° 37059/97; *Zarakolu v. Turkey (no. 2)*, n° 37061/97; *Zarakolu v. Turkey (no. 3)*, n° 37062/97)

(d) Judgments striking applications out of the list of cases

In addition to strike-out judgments mentioned above, a case concerning the following issue was struck out of the list:

- prohibition on male descendants of the ex-king entering Italy (*De Savoie v. Italy*, n° 53360/99)

(e) Other judgments

Eight judgments concerning just satisfaction (two each against France, Greece and Italy, and one each against Cyprus and Ukraine) and seven judgments concerning revision (five against Italy and two against France) were delivered.

Notes:

1. The foregoing summaries are intended to highlight the issues raised in cases and do not indicate the Court's conclusion. Thus, a statement such as "ill-treatment in custody..." covers cases in which no violation was found or in which a friendly settlement was reached as well as cases in which a violation was found.

2. The length of court proceedings was at issue in a total of 263 judgments, in all but 39 of which it was the sole issue, while in a further ten the only additional issue was the availability of an effective remedy under Article 13. Moreover, almost all of the seven revision judgments related to length cases. Violations were found in all but eight of the cases in which the merits were addressed (although in a further two there were findings of both violation and no violation in relation to different proceedings).

3. 428 out of the 703 judgments delivered (60%) concerned four groups of cases dealing exclusively with the following issues – the length of court proceedings (including the question of effective remedies), *Immobiliare Saffi*-type issues, *Brumărescu*-type issues and the independence and impartiality of State Security Courts in Turkey. The judgments referred to under (b), (c), (d) and (e) above, totalling 520 account for almost 75% of those delivered in 2003.

4. The highest numbers of judgments concerned the following States:

Italy	106 (15%)
Turkey	76 (10.8%)
France	76 (10.8%)
Poland	44 (6.25%)
Romania	24 (3.41%)
Greece	23 (3.27%)

The figures in brackets indicate the percentage of the total number of judgments delivered in 2003.

5. All judgments and admissibility decisions (other than those taken by the committees) are available in full text in the Court's case-law database (HUDOC), which is accessible via the Court's internet site: <http://www.echr.coe.int>.

IV. JUDGMENTS AND DECISIONS SELECTED FOR PUBLICATION

The following judgments and decisions delivered or adopted in 2003 have been selected by the Court's Publications Committee for publication in *Reports of Judgments and Decisions*. Grand Chamber judgments and decisions are indicated by an asterisk.

ECHR 2003-I

(judgments)

38822/97 SHISHKOV v. Bulgaria (extracts)
39392/98 L. and V. v. Austria
39829/98
45330/99 S.L. v. Austria (extracts)
45771/99 VEEBER v. Estonia (no. 2)
44647/98 PECK v. the United Kingdom
40877/98 CORDOVA v. Italy (no. 1)
45649/99 CORDOVA v. Italy (no. 2) (extracts)

(decisions)

57420/00 YOUNGER v. the United Kingdom
36681/97 SANTORO v. Italy (extracts)
51307/99 GEFFRE v. France (extracts)
68874/01 CALDAS RAMIREZ DE ARRELLANO v. Spain (extracts)

ECHR 2003-II

(judgments)

50901/99 VAN DER VEN v. the Netherlands
29327/95 O. v. Norway
34964/97 RINGVOLD v. Norway
56568/00 Y. v. Norway (extracts)
41340/98 REFAH PARTISI v. Turkey*
41342/98
41343/98
41344/98

(decisions)

34763/02 BURG and others v. France
61164/00 DURINGER and GRUNGE v. France (extracts)
18589/02
71630/01 WENDENBURG v. Germany (extracts)
36117/02 GRISANKOVA and GRISANKOVs v. Latvia (extracts)

ECHR 2003-III

(judgments)

42326/98 ODIEVRE v. France*
36378/97 BERTUZZI v. France
40153/98 CETIN and KAYA v. Turkey (extracts)
40160/98)
49636/99 CHEVROL v. France
20652/92 DJAVIT AN v. Turkey

(decisions)

40057/98 DES FOURS WALDERODE v. the Czech Republic (extracts)
58811/00 G.L. and S.L. v. France (extracts)
48897/99 Sarl PARC D'ACTIVITE DE BLOTZHEIM v. France

ECHR 2003-IV

(judgments)

50272/99 HUTCHISON REID v. the United Kingdom
51772/99 ROEMEN and SCHMIT v. Luxembourg
39547/98 NIEDERBÖSTER v. Germany (extracts)
63486/00 POSOKHOV v. Russia
35640/97 LESNIK v. Slovakia
39731/98 SIGURDSSON v. Iceland
46372/99 PAPASTAVROU and others v. Greece
53470/99 MEHEMI v. France

(decisions)

36813/97 SCORDINO v. Italy
38602/02 YILDIRIM v. Italy
2672/03) NUNES DIAS v. Portugal
69829/01)

ECHR 2003-V

(judgments)

24351/94 AKTAS v. Turkey (extracts)
44962/98 YVON v. France
38812/97 POLTORATSKIY v. Ukraine
50390/99 McGLINCHEY and others v. the United Kingdom
56673/00 IGLESIAS GIL v. Spain
48898/99 PERNA v. Italy*

(decisions)

47916/99 MENSON v. the United Kingdom

ECHR 2003-VI

(judgments)

26307/95 ACAR v. Turkey (preliminary issue)*
39343/98 KLEYN and others v. the Netherlands*
39651/98)
43147/98)
46664/99)
44306/98 APPLEBY and others v. the United Kingdom
59506/00 PAPAGEORGIU v. Greece (extracts)
41666/98 KYRTATOS v. Greece (extracts)
33343/96 PANTEA v. Romania (extracts)

(decisions)

73557/01 SEQUEIRA v. Portugal
76682/01 P4 RADIO HELE NORGE ASA v. Norway
27569/02 FISCHER v. Austria

ECHR 2003-VII

(judgments)

35968/97 VAN KÜCK v. Germany
45681/99 GUTFREUND v. France
62435/00 PESCADOR VALERO v. Spain
69700/01 TIERCE v. San Marino
28490/95 GUNES v. Turkey (extracts)
35179/97 ALLARD v. Sweden
39482/98 DOWSETT v. the United Kingdom
48206/99 MAIRE v. Portugal

(decisions)

59290/00 MONTCORNET DE CAUMONT v. France
62960/00 ANTOINE v. the United Kingdom (extracts)
49158/99 FROMMELT v. Liechtenstein (extracts)

ECHR 2003-VIII

(judgments)

29178/95 FINUCANE v. the United Kingdom
30943/96 SAHIN v. Germany*
31871/96 SOMMERFELD v. Germany* (extracts)
36022/97 HATTON v. the United Kingdom*
53341/99 HARTMAN v. the Czech Republic (extracts)

(decisions)

58698/00 PAULINO TOMAS v. Portugal
37235/97 SOFRI and others v. Italy

ECHR 2003-IX

(judgments)

44179/98 MURPHY v. Ireland (extracts)
55794/00 EFSTATHIOU v. Greece
32190/96 LUORDO v. Italy
63737/00 PERRY v. the United Kingdom (extracts)
24209/94 Y.F. v. Turkey
40016/98 KARNER v. Austria
46133/99 SMIRNOVA v. Russia (extracts)
48183/99)

(decisions)

77532/01 HARRACH v. the Czech Republic
54559/00 MOREL v. France
74789/01 REUTHER v. Germany
65831/01 GARAUDY v. France

ECHR 2003-X

(judgments)

52854/99 RYABYKH v. Russia
50389/99 DORAN v. Ireland (extracts)
40892/98 KOUA POIRREZ v. France (not final)
39665/98) EZEH and CONNORS v. the United Kingdom*
40086/98)

(decisions)

15227/03 LYONS v. the United Kingdom
59493/00 WITHEY v. the United Kingdom
76976/01 BREISACHER v. France
56838/00 GUICHARD v. France
53984/00 RADIO FRANCE and others v. France (extracts)

Unallocated

(judgments)

29010/95 CREDIT and INDUSTRIAL BANK v. the Czech Republic (extracts)
39657/98 P.S. v. the Netherlands (not final)
41576/98 GANCI v. Italy (not final)
39394/98 SCHARSACH and NEWS VERLAGSGESELLSCHAFT v. Austria
(not final)
65436/01 HENAF v. France (not final)
26624/95 WORWA v. Poland (extracts) (not final)
35071/97 GÜNDÜZ v. Turkey (not final)
39272/98 M.C. v. Bulgaria (not final)
48321/99 SLIVENKO v. Latvia*
61237/00 ACIMOVIC v. Croatia (not final)

(decisions)

59745/00 GÜNDÜZ v. Turkey (extracts)
46213/99 ÖRS and Others v. Turkey (extracts)
48518/99 LUNDKVIST v. Sweden
27156/02 MORBY v. Luxembourg
46809/99 LOISEAU v. France (extracts)
62902/00 ZOLLMANN v. the United Kingdom
63156/00 MIRAILLES v. France (extracts)
54268/00 QUFAJ CO.SH.P.K. v. Albania
53929/00 RICHARD-DUBARRY v. France (extracts)

Proposals not yet examined:

(judgments)

48843/99 COOPER v. the United Kingdom*
57067/00 GRIEVES v. the United Kingdom* (extracts)
39069/97 KRONE VERLAG GmbH v. Austria (no. 3) (not final)
39084/97 YANKOV v. Bulgaria (not final)
64927/01 PALAU-MARTINEZ v. France (not final)

(decisions)

58751/00 SCHREIBER and BOETSCH v. France
35943/02 TRANSADO-TRANSPORTES FLUVIAS DO SADO SA v. Portugal

Note: The publication of non-final Section judgments is normally subject to the judgment becoming final (Article 44 § 2 of the Convention).

V. STATISTICAL INFORMATION¹

Judgments delivered	2003
Grand Chamber	12(19)
Section I	230(236)
Section II	165(172)
Section III	127(132)
Section IV	155(159)
Sections in former compositions	14
Total	703(732)

Judgments delivered in 2003					
	Merits	Friendly settlements	Struck out	Other	Total
Grand Chamber	11(18)	0	0	1	12(19)
former Section I	4	0	0	0	4
former Section II	1	0	0	2	3
former Section III	4	0	0	0	4
former Section IV	1	0	0	2	3
Section I	179(185)	43	3	5	230(236)
Section II	133(140)	23	4	5	165(172)
Section III	111(116)	15	0	1	127(132)
Section IV	104(106)	47(49)	4	0	155(159)
Total	548(575)	128(130)	11	16	703(732)

1. A judgment or decision may concern more than one application: when both figures are given, the number of applications is shown in brackets. The statistical information provided in this and the following section is provisional. For a number of reasons (in particular, different methods of calculation of unjoined applications dealt with in a single decision), discrepancies may arise between the different tables in the Survey.

ARRÊTS / JUDGMENTS 2003

Etat en cause / State concerned	Affaires ayant donné lieu à un constat de / Cases which gave rise to a finding of		Affaires n'ayant pas donné lieu à un constat sur le fond / Cases which gave rise to no finding on the merits		Satisfaction équitable / Just satisfaction	Révision	TOTAL
	Au moins une violation / At least one violation	Non violation / No violation	Règlement amiable / Friendly settlement	Rayée du rôle / Striking out			
Albanie / Albania	-	-	-	-	-	-	-
Andorre / Andorra	-	-	-	-	-	-	-
Arménie / Armenia	-	-	-	-	-	-	-
Autriche / Austria	16	1	2	-	-	-	19
Azerbaïdjan / Azerbaijan	-	-	-	-	-	-	-
Belgique / Belgium	7	0	1	-	-	-	8
Bosnie-Herzégovine / Bosnia & Herzegovina	-	-	-	-	-	-	-
Bulgarie / Bulgaria	10	1	-	-	-	-	11
Croatie / Croatia	6	-	-	-	-	-	6
Chypre / Cyprus	1	1	-	-	1	-	3
République tchèque / Czech Republic	5	-	1	-	-	-	6
Danemark / Denmark	1	1	-	-	-	-	2
Estonie / Estonia	2	1	-	-	-	-	3
Finlande / Finland	3	-	2	-	-	-	5
France	76	7	7	-	2	2	94
Géorgie / Georgia	-	-	-	-	-	-	-
Allemagne / Germany	10	1	1	-	-	-	12
Grèce / Greece	23	-	3	-	2	-	28
Hongrie / Hungary	13	-	2	1	-	-	16
Islande / Iceland	2	-	-	-	-	-	2
Irlande / Ireland	1	1	-	-	-	-	2
Italie / Italy	106	2	29	4	2	5	148
Lettonie / Latvia	1	-	-	-	-	-	1
Liechtenstein	-	-	-	-	-	-	-
Lituanie / Lithuania	3	-	1	-	-	-	4
Luxembourg	4	-	-	-	-	-	4
Ex-République yougoslave de Macédoine / Former Yugoslav Republic of Macedonia	-	-	-	-	-	-	-
Malte / Malta	1	-	-	-	-	-	1
Moldova	-	-	-	-	-	-	-
Pays-Bas / Netherlands	6	1	-	-	-	-	7
Norvège / Norway	4	1	-	-	-	-	5
Pologne / Poland	43	-	22	2	-	-	67
Portugal	16	-	1	-	-	-	17
Roumanie / Romania	24	1	-	3	-	-	28
Fédération de Russie / Russian Federation	5	-	-	-	-	-	5
Saint-Marin / San Marino	3	-	1	-	-	-	4
Slovaquie / Slovakia	17	2	8	-	-	-	27
Slovénie / Slovenia	-	-	-	-	-	-	-
Espagne / Spain	8	1	-	-	-	-	9
Suède / Sweden	2	1	-	-	-	-	3
Suisse / Switzerland	-	1	-	-	-	-	1
Turquie / Turkey	76	1	44	1	-	-	123 ¹
Ukraine	6	-	-	-	1	-	7
Royaume-Uni / United Kingdom	20	2	3	-	-	-	25
TOTAL	521	27	128	11	8	7	703¹

¹ The figure includes a further judgment which concerned preliminary issues.

Decisions adopted		2003
I. Applications declared admissible		
Grand Chamber		3(6)
Section I		142(152)
Section II		155(165)
Section III		135(138)
Section IV		176(288)
former Sections		1
Total		612(750)
II. Applications declared inadmissible		
Section I	- Chamber	72(77)
	- Committee	5493
Section II	- Chamber	86(101)
	- Committee	4536(4550)
Section III	- Chamber	108(119)
	- Committee	2761
Section IV	- Chamber	102(113)
	- Committee	3566
Total		16724(16780)
III. Applications struck off		
Section I	- Chamber	44(72)
	- Committee	31
Section II	- Chamber	45
	- Committee	47
Section III	- Chamber	125
	- Committee	28
Section IV	- Chamber	96(112)
	- Committee	35
Total		451(495)
Total number of decisions¹		17787(18025)

¹ Not including partial decisions.

Applications communicated		2003
Section I		455(460)
Section II		400(408)
Section III		452(471)
Section IV		303(351)
Total number of applications communicated		1610(1690)

**Evolution du nombre de requêtes individuelles introduites devant la Cour (anciennement la Commission) /
Development in the number of individual applications lodged with the Court (formerly the Commission)**

	1955 - 1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	TOTAL
Requêtes introduites <i>Applications lodged</i>	44199	4923	5279	6104	6456	9759	10335	11236	12704	14166	18164	22617	30069	31228	34508	38435 (prov/ prov.)	300182
Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>	14466	1445	1657	1648	1861	2037	2944	3481	4758	4750	5981	8400	10482	13845	28214	27189	133158
Décisions rendues <i>Decisions taken</i>	12911	1338	1216	1659	1704	1765	2372	2990	3400	3777	4420	4251	7862	9728	18450	18034	95877
Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off the list</i>	12328	1243	1065	1441	1515	1547	1789	2182	2776	3073	3658	3520	6776	8989	17868	17272	87042
Requêtes déclarées recevables <i>Applications declared admissible</i>	575	95	151	217	189	218	582	807	624	703	762	731	1086	739	578	753	8810
Requêtes terminées par une décision de rejet en cours d'examen au fond <i>Applications terminated by a decision to reject in the course of the examination of the merits</i>	8	0	0	1	0	1	1	0	0	1	0	0	0	0	5	1	18
Arrêts rendus par la Cour <i>Judgments delivered by the Court</i>	180	25	30	72	81	60	50	56	72	106	105	177	695	889	844	703	4145

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

**EVOLUTION DES AFFAIRES (1/3)
EVOLUTION OF CASES (1/3)**

Etat State	Requêtes introduites (statistiques provisoires) <i>Applications lodged (provisional statistics)</i>			Requêtes attribuées à un organe décisionnel <i>Applications allocated to a decision body</i>			Requêtes déclarées irrecevables ou rayées du rôle <i>Applications declared inadmissible or struck off</i>			Requêtes communiquées au Gouvernement <i>Applications referred to Government</i>			Requêtes déclarées recevables <i>Applications declared admissible</i>		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Albania/ <i>Albanie</i>	21	23	24	3	15	17	1	3	11	-	1	1	-	-	1
Andorra/ <i>Andorre</i>	1	-	2	2	-	2	4	-	1	-	1	-	-	-	1
Armenia/ <i>Arménie</i>	7	31	90	-	7	67	-	-	28	-	-	1	-	-	-
Austria/ <i>Autriche</i>	385	434	442	230	309	324	208	371	401	13	51	71	24	14	19
Azerbaijan/ <i>Azerbaïdjan</i>	43	272	265	-	-	238	-	-	45	-	-	3	-	-	-
Belgium/ <i>Belgique</i>	239	264	215	108	139	117	79	124	118	8	31	11	25	3	12
Bosnia and Herzegovina/ <i>Bosnie- Herzégovine</i>	12	47	95	-	4	59	-	-		-	-	-	-	-	-
Bulgaria/ <i>Bulgarie</i>	467	619	702	403	461	517	232	394	293	13	43	37	1	15	26
Croatia/ <i>Croatie</i>	184	862	808	116	666	664	75	338	349	14	49	38	6	8	25
Cyprus/ <i>Chypre</i>	51	38	44	20	47	36	14	44	11	6	7	6	7	2	4
Czech Republic/ <i>République Tchèque</i>	437	490	943	367	329	629	267	437	280	16	54	16	3	2	7
Denmark/ <i>Danemark</i>	115	127	142	52	86	73	50	40	65	10	3	4	3	2	6
Estonia/ <i>Estonie</i>	128	116	179	89	89	131	24	57	138	1	1	5	1	2	1
Finland/ <i>Finlande</i>	196	229	285	106	184	260	123	151	97	28	22	12	2	8	12
France/ <i>France</i>	2829	2940	2906	1117	1606	1481	892	1254	1451	89	125	91	51	66	89
Georgia/ <i>Georgie</i>	29	42	42	22	29	35	3	13	24	4	4	6	-	2	1
Germany/ <i>Allemagne</i>	1620	1775	1911	718	1019	998	528	748	461	11	58	17	8	13	10
Greece/ <i>Grèce</i>	274	378	481	192	311	354	96	134	171	49	74	73	32	29	26
Hungary/ <i>Hongrie</i>	374	318	478	173	307	330	86	198	293	12	31	25	2	10	15
Iceland/ <i>Islande</i>	7	5	17	3	5	10	6	2	5	2	-	-	1	2	1
Ireland/ <i>Irlande</i>	56	85	76	16	45	29	24	43	31	2	1	2	1	3	2
Italy/ <i>Italie</i>	3779	1369	1845	587	1302	1351	265	1126	1009	251	89	89	341	133	16
Latvia/ <i>Lettonie</i>	226	261	300	125	208	133	58	102	152	11	15	10	3	3	7

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

**EVOLUTION DES AFFAIRES (1/3)
EVOLUTION OF CASES (1/3)**

Etat State	Requêtes introduites (statistiques provisoires)			Requêtes attribuées à un organe décisionnel			Requêtes déclarées irrecevables ou rayées du rôle			Requêtes communiquées au Gouvernement			Requêtes déclarées recevables		
	<i>Applications lodged (provisional statistics)</i>			<i>Applications allocated to a decision body</i>			<i>Applications declared inadmissible or struck off</i>			<i>Applications referred to Government</i>			<i>Applications declared admissible</i>		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Liechtenstein/ <i>Liechtenstein</i>	2	3	5	-	3	3	1	1	3	-	2	-	-	-	1
Lithuania/ <i>Lituanie</i>	326	439	482	151	529	355	150	166	199	2	6	21	-	3	5
Luxemburg/ <i>Luxembourg</i>	55	47	58	11	25	21	11	11	28	1	2	5	2	2	2
Malta/ <i>Malte</i>	9	9	19	3	4	4	1	2		-	2	3	1	-	1
Moldova/ <i>Moldovie</i>	212	256	356	44	245	238	23	31	105	7	4	64	3	1	2
Netherlands/ <i>Pays-Bas</i>	333	575	451	200	317	278	218	278	235	17	14	19	5	9	7
Norway/ <i>Norvège</i>	61	79	75	49	48	51	54	20	62	1	-	3	3	-	1
Poland/ <i>Pologne</i>	3429	4531	5359	1755	4032	3658	1412	2469	1702	94	86	123	26	46	83
Portugal/ <i>Portugal</i>	222	251	245	140	143	148	72	108	252	56	27	8	39	22	5
Romania/ <i>Roumanie</i>	1793	2294	4195	541	1960	2165	537	508	700	35	28	57	1	13	22
Russia/ <i>Russie</i>	4490	4760	5996	2105	3989	4738	1253	2223	3206	21	59	170	2	12	15
San Marino/ <i>Saint-Marin</i>	3	5	2	4	6	2	2	1	2	-	3	2	-	3	3
Slovak Republic/ <i>Republique Slovaque</i>	546	432	540	343	406	349	159	366	277	12	39	9	8	11	28
Slovenia/ <i>Slovénie</i>	251	265	265	206	270	251	78	72	60	8	7	86	1	-	3
Spain/ <i>Espagne</i>	1099	821	603	807	798	455	231	1345	377	386	9	12	2	7	6
Sweden/ <i>Suède</i>	399	371	434	246	296	257	110	350	303	7	13	13	4	1	5
Switzerland/ <i>Suisse</i>	327	282	273	162	214	162	210	182	108	9	3	6	2	1	1
FYRO Macedonia/ <i>ERY Macédoine</i>	59	95	148	34	90	98	13	16	57	7	6	1	4	-	-
Turkey/ <i>Turquie</i>	2530	3887	2918	1059	3866	3558	385	1639	1632	251	375	355	90	102	142
Ukraine/ <i>Ukraine</i>	2108	2958	2276	1057	2819	1858	510	1764	1665	13	18	158	1	3	6
United Kingdom/ <i>Royaume-Uni</i>	1494	1533	1393	479	986	685	529	737	865	99	312	87	34	25	134
Total	31228	34618	38435	13845	28214	27189	8994	17868	17272	1566	1675	1720	739	578	753

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

**EVOLUTION DES AFFAIRES (2/3) - ARRÊTS (1/2)
EVOLUTION OF CASES (2/3) - JUDGMENTS (1/2)**

Etat State	Arrêts (Chambre et Grande Chambre)			Arrêts (définitif-après renvoi devant la Grande Chambre)			Arrêts (règlement amiable)			Arrêts (radiation)		
	<i>Judgments (Chamber and Grand Chamber)</i>			<i>Judgments (final-after referral to Grand Chamber)</i>			<i>Judgments (friendly settlements)</i>			<i>Judgments (striking out)</i>		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Albania/ <i>Albanie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Andorra/ <i>Andorre</i>	-	-	-	-	-	-	-	-	-	-	-	-
Armenia/ <i>Arménie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Austria/ <i>Autriche</i>	17	15	17	-	-	-	1	5	2	-	-	-
Azerbaijan/ <i>Azerbaïdjan</i>	-	-	-	-	-	-	-	-	-	-	-	-
Belgium/ <i>Belgique</i>	4	13	7	-	-	-	1	-	1	-	1	-
Bosnia and Herzegovina/ <i>Bosnie- Herzégovine</i>	-	-	-	-	-	-	-	-	-	-	-	-
Bulgaria/ <i>Bulgarie</i>	2	2	11	-	-	-	1	1	-	-	-	-
Croatia/ <i>Croatie</i>	5	6	6	-	-	-	-	3	-	-	-	-
Cyprus/ <i>Chypre</i>	1	5	2	-	-	-	1	1	-	-	-	-
Czech Republic/ <i>République Tchèque</i>	1	4	5	-	-	-	1	-	1	-	-	-
Denmark/ <i>Danemark</i>	-	1	2	-	-	-	1	1	-	-	-	-
Estonia/ <i>Estonie</i>	1	1	3	-	-	-	-	-	-	-	-	-
Finland/ <i>Finlande</i>	3	5	3	1	-	-	-	-	2	-	-	-
France/ <i>France</i>	34	66	83	-	1	-	8	6	7	2	2	-
Georgia/ <i>Georgie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Germany/ <i>Allemagne</i>	16	8	9	-	-	2	-	-	1	1	1	-
Greece/ <i>Grèce</i>	16	17	23	-	-	-	5	3	3	-	-	-
Hungary/ <i>Hongrie</i>	2	1	13	-	-	-	-	2	2	1	-	1
Iceland/ <i>Islande</i>	-	-	2	-	-	-	-	-	-	-	-	-
Ireland/ <i>Irlande</i>	1	1	2	-	-	-	-	-	-	-	-	-
Italy/ <i>Italie</i>	365	330	108	-	1	1	45	49	28	-	2	4
Latvia/ <i>Lettonie</i>	-	2	1	-	-	-	1	-	-	-	-	-

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

**EVOLUTION DES AFFAIRES (2/3) - ARRÊTS (1/2)
EVOLUTION OF CASES (2/3) - JUDGMENTS (1/2)**

Etat State	Arrêts (Chambre et Grande Chambre)			Arrêts (définitif-après renvoi devant la Grande Chambre)			Arrêts (règlement amiable)			Arrêts (radiation)		
	<i>Judgments (Chamber and Grand Chamber)</i>			<i>Judgments (final-after referral to Grand Chamber)</i>			<i>Judgments (friendly settlements)</i>			<i>Judgments (striking out)</i>		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Liechtenstein/ <i>Liechtenstein</i>	-	-	-	-	-	-	-	-	-	-	-	-
Lithuania/ <i>Lituanie</i>	2	5	3	-	-	-	-	-	1	-	-	-
Luxemburg/ <i>Luxembourg</i>	2	-	4	-	-	-	-	1	-	-	-	-
Malta/ <i>Malte</i>	-	-	1	-	-	-	-	-	-	-	-	-
Moldova/ <i>Moldovie</i>	1	-	-	-	-	-	-	-	-	-	-	-
Netherlands/ <i>Pays-Bas</i>	3	9	7	-	-	-	4	1	-	-	-	-
Norway/ <i>Norvège</i>	1	-	5	-	-	-	-	-	-	-	-	-
Poland/ <i>Pologne</i>	19	22	43	-	-	-	1	3	22	-	-	2
Portugal/ <i>Portugal</i>	10	14	16	-	-	-	15	18	1	-	1	-
Romania/ <i>Roumanie</i>	-	26	25	-	-	-	-	-	-	-	1	3
Russia/ <i>Russie</i>	-	2	5	-	-	-	-	-	-	-	-	-
San Marino/ <i>Saint-Marin</i>	-	-	3	-	-	-	-	-	1	-	-	-
Slovak Republic/ <i>Republique Slovaque</i>	5	4	19	-	-	-	3	3	8	-	-	-
Slovenia/ <i>Slovénie</i>	1	-	-	-	-	-	-	1	-	-	-	-
Spain/ <i>Espagne</i>	2	3	9	-	-	-	-	-	-	-	-	-
Sweden/ <i>Suède</i>	-	6	3	-	-	-	3	1	-	-	-	-
Switzerland/ <i>Suisse</i>	7	4	1	-	-	-	1	-	-	-	-	-
FYRO Macedonia/ <i>ERY Macédoine</i>	1	-	-	-	-	-	-	1	-	-	-	-
Turkey/ <i>Turquie</i>	170	55	76	-	1	1	58	45	44	1	4	1
Ukraine/ <i>Ukraine</i>	-	1	6	-	-	-	1	-	-	-	-	-
United Kingdom/ <i>Royaume-Uni</i>	30	33	20	-	1	2	1	6	3	1	-	-
Total	722	664	543	1	4	6	152	151	127	6	11	11

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

EVOLUTION DES AFFAIRES (3/3) - ARRÊTS (2/2)
EVOLUTION OF CASES (3/3) - JUDGMENTS (2/2)

Etat State	Arrêts (satisfaction équitable)			Arrêts (exceptions préliminaires)			Arrêts (interprétation)			Arrêts (révision)		
	<i>Judgments (just satisfaction)</i>			<i>Judgments (preliminary objections)</i>			<i>Judgments (interpretation)</i>			<i>Judgments (revision)</i>		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Albania/ <i>Albanie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Andorra/ <i>Andorre</i>	-	-	-	-	-	-	-	-	-	-	-	-
Armenia/ <i>Arménie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Austria/ <i>Autriche</i>	-	-	-	-	-	-	-	-	-	-	-	-
Azerbaijan/ <i>Azerbaïdjan</i>	-	-	-	-	-	-	-	-	-	-	-	-
Belgium/ <i>Belgique</i>	-	-	-	-	-	-	-	-	-	-	-	-
Bosnia and Herzegovina/ <i>Bosnie-Hezégovine</i>	-	-	-	-	-	-	-	-	-	-	-	-
Bulgaria/ <i>Bulgarie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Croatia/ <i>Croatie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Cyprus/ <i>Chypre</i>	-	-	1	-	-	-	-	-	-	-	-	-
Czech Republic/ <i>République Tchèque</i>	-	-	-	-	-	-	-	-	-	-	-	-
Denmark/ <i>Danemark</i>	-	-	-	-	-	-	-	-	-	-	-	-
Estonia/ <i>Estonie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Finland/ <i>Finlande</i>	-	-	-	-	-	-	-	-	-	-	-	-
France/ <i>France</i>	-	-	2	-	-	-	-	-	-	-	-	2
Georgia/ <i>Georgie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Germany/ <i>Allemagne</i>	-	-	-	-	-	-	-	-	-	-	-	-
Greece/ <i>Grèce</i>	-	5	2	-	-	-	-	-	-	-	-	-
Hungary/ <i>Hongrie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Iceland/ <i>Islande</i>	-	-	-	-	-	-	-	-	-	-	-	-
Ireland/ <i>Irlande</i>	-	-	-	-	-	-	-	-	-	-	-	-
Italy/ <i>Italie</i>	-	1	2	-	-	-	-	-	-	2	8	5
Latvia/ <i>Lettonie</i>	-	-	-	-	-	-	-	-	-	-	-	-

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

EVOLUTION DES AFFAIRES (3/3) - ARRÊTS (2/2)
EVOLUTION OF CASES (3/3) - JUDGMENTS (2/2)

Etat State	Arrêts (satisfaction équitable)			Arrêts (exceptions préliminaires)			Arrêts (interprétation)			Arrêts (révision)		
	<i>Judgments (just satisfaction)</i>			<i>Judgments (preliminary objections)</i>			<i>Judgments (interpretation)</i>			<i>Judgments (revision)</i>		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Liechtenstein/ <i>Liechtenstein</i>	-	-	-	-	-	-	-	-	-	-	-	-
Lithuania/ <i>Lituanie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Luxemburg/ <i>Luxembourg</i>	-	-	-	-	-	-	-	-	-	-	-	-
Malta/ <i>Malte</i>	-	-	-	-	-	-	-	-	-	-	-	-
Moldova/ <i>Moldovie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Netherlands/ <i>Pays-Bas</i>	-	1	-	-	-	-	-	-	-	-	-	-
Norway/ <i>Norvège</i>	-	-	-	-	-	-	-	-	-	-	-	-
Poland/ <i>Pologne</i>	-	1	-	-	-	-	-	-	-	-	-	-
Portugal/ <i>Portugal</i>	1	-	-	-	-	-	-	-	-	-	-	-
Romania/ <i>Roumanie</i>	1	-	-	-	-	-	-	-	-	-	-	-
Russia/ <i>Russie</i>	-	-	-	-	-	-	-	-	-	-	-	-
San Marino/ <i>Saint-Marin</i>	-	-	-	-	-	-	-	-	-	-	-	-
Slovak Republic/ <i>Republique Slovaque</i>	-	-	-	-	-	-	-	-	-	-	-	-
Slovenia/ <i>Slovénie</i>	-	-	-	-	-	-	-	-	-	-	-	-
Spain/ <i>Espagne</i>	-	-	-	-	-	-	-	-	-	-	-	-
Sweden/ <i>Suède</i>	-	-	-	-	-	-	-	-	-	-	-	-
Switzerland/ <i>Suisse</i>	-	-	-	-	-	-	-	-	-	-	-	-
FYRO Macedonia/ <i>ERY Macédoine</i>	-	-	-	-	-	-	-	-	-	-	-	-
Turkey/ <i>Turquie</i>	-	-	-	-	-	1	-	-	-	-	-	-
Ukraine/ <i>Ukraine</i>	-	-	1	-	-	-	-	-	-	-	-	-
United Kingdom/ <i>Royaume-Uni</i>	1	-	-	-	-	-	-	-	-	-	-	-
Total	3	8	8	-	-	1	-	-	-	2	8	7