

HUMAN RIGHTS CASE DIGEST

The European Convention System

Volume 15 Nos. 1-12

January 2004-August 2005

INTRODUCTION	1
EUROPEAN COURT OF HUMAN RIGHTS	
Summaries of Judgments	57
Decisions on Admissibility	855
INDICES	1063
Substantive Articles of the European Convention on Human Rights and Protocols Nos. 1, 4, 6 and 7	1087

MARTINUS NIJHOFF PUBLISHERS
and The British Institute of Human Rights

CONTENTS

EUROPEAN COURT OF HUMAN RIGHTS

Summaries of Judgments

Sadik Önder v. Turkey	57
Çolak and Filizer v. Turkey	57
Voggenreiter v. Germany	63
Haas v. the Netherlands	67
Matencio v. France	69
Sakkopoulos v. Greece	73
Kyprianou v. Cyprus	77
Laukkanen and Manninen v. Finland	81
Kosmopoulou v. Greece	85
Depiets v. France	89
Perez v. France	93
Gorzelik and Others v. Poland	97
Maestri v. Italy	103
İpek v. Turkey	107
Thampibillai v. the Netherlands	113
Venkadajalasarma v. the Netherlands	113
Görgülü v. Germany	119
Pitkänen v. Finland	123
Glass v. the United Kingdom	125
G.B. v. Bulgaria	129
Iorgov v. Bulgaria	129
Radio France and Others v. France	133
Hirst v. the United Kingdom (No. 2)	139
Ahmet Özkan and Others v. Turkey	143
Tahsin Acar v. Turkey	151
Assanidze v. Georgia	157
Weh v. Austria	163
Belchev v. Bulgaria	165
Haase v. Germany	167

Amihalachioaie v. Moldova	171
Cianetti v. Italy	175
Gorraiz Lizarraga and Others v. Spain	177
Kansal v. the United Kingdom	181
Azinas v. Cyprus	185
Prodan v. Moldova	189
Plon (Société) v. France	193
Somogyi v. Italy	197
R.L. and M.-J.D. v. France	199
Gusinskiy v. Russia	205
OGIS-Institut Stanislas, OGEC St. Pie X and Blanche de Castille and Others v. France	209
Vides Aizsardzības Klubs v. Latvia	213
Rizos and Daskas v. Greece	217
Valová, Slezák and Slezák v. Slovakia	221
Lebbink v. the Netherlands	225
Bati and Others v. Turkey	229
De Jorio v. Italy	235
Hilda Hafsteinsdóttir v. Iceland	239
Thompson v. the United Kingdom	241
S.C. v. the United Kingdom	245
Ždanoka v. Latvia	247
Broniowski v. Poland	253
Pavletić v. Slovakia	261
Pabla Ky v. Finland	263
Aziz v. Cyprus	265
Pini and Bertani & Manera and Atripaldi v. Romania	269
Von Hannover v. Germany	275
Frommelt v. Liechtenstein	279
Leyla Şahin v. Turkey	281
Zeynep Tekin v. Turkey	281
Doğan and Others v. Turkey	287
Piven v. Ukraine	293
Zhovner v. Ukraine	293
Voleský v. the Czech Republic	297
Chauvy and Others v. France	301

Santoro v. Italy	305
Couillard Maugery v. France	309
Ilaşcu and Others v. Moldova and Russia	313
Vo v. France	325
Vachev v. Bulgaria	329
Beneficio Cappella Paolini v. San Marino	333
Pla and Puncernau v. Andorra	337
Bäck v. Finland	341
Hrico v. Slovakia	345
Nikitin v. Russia	349
Ikincisoy v. Turkey	351
Sidabras and Džiautas v. Lithuania	359
Slimani v. France	365
Scordino v. Italy (No. 1)	369
Blečić v. Croatia	373
San Leonard Band Club v. Malta	377
Związek Nauczycielstwa Polskiego v. Poland	379
Kopecký v. Slovakia	383
Sabou and Pircălab v. Romania	387
H.L. v. the United Kingdom	391
Presidential Party of Mordovia v. Russia	397
Vatan v. Russia	401
Kjartan Ásmundsson v. Iceland	405
Makhfi v. France	409
Melnychenko v. Ukraine	411
Edwards and Lewis v. the United Kingdom	415
Martinez Sala and Others v. Spain	419
Tregubenko v. Ukraine	423
Del Latte v. the Netherlands	427
Marpa Zeeland B.V. and Metal Welding B.V. v. the Netherlands	429
Taşkin and Others v. Turkey	431
Sejdovic v. Italy	435
Ernestina Zullo v. Italy	439
Achour v. France	443
Ünal Tekeli v. Turkey	447
Issa and Others v. Turkey	451

Karhuvaara and Iltalehti v. Finland	455
Selistö v. Finland	455
Moreno Gómez v. Spain	461
Qufaj Co. Sh.P.K. v. Albania	465
Prokopovich v. Russia	469
Fotopoulou v. Greece	473
Puolitaival and Pirttiaho v. Finland	477
Öneryildiz v. Turkey	479
Klyakhin v. Russia	487
Mykhaylenky and Others v. Ukraine	491
Farbtuhs v. Latvia	495
Gelfmann v. France	499
Supreme Holy Council of the Muslim Community v. Bulgaria	503
Cumpănă and Mazăre v. Romania	507
Pedersen and Baadsgaard v. Denmark	511
Makaratzis v. Greece	517
Busuioc v. Moldova	523
Androne v. Romania	529
Merger and Cros v. France	533
Musumeci v. Italy	537
Sciacca v. Italy	541
Blücher v. the Czech Republic	543
Py v. France	547
Capeau v. Belgium	551
Karademirci and Others v. Turkey	553
Enhorn v. Sweden	557
Ramirez Sanchez v. France	561
Partidul Comunistilor (Nepecești) and Ungureanu v. Romania	565
Mamatkulov and Askarov v. Turkey	569
Steel and Morris v. the United Kingdom	575
K.A. and A.D. v. Belgium	581
Sardinas Albo v. Italy	587
Hutten-Czapska v. Poland	591
Novoseletskiy v. Ukraine	597
Khashiyev and Akayeva v. Russia	601
Isayeva, Yusupova and Bazayeva v. Russia	601

Isayeva v. Russia	601
Poznakhirina v. Russia	613
Meriakri v. Moldova	615
Brudnicka and Others v. Poland	617
Bubbins v. the United Kingdom	621
Akkum and Others v. Turkey	627
Kiurkchian v. Bulgaria	633
Frizen v. Russia	635
Rieg v. Austria	637
Stoichkov v. Bulgaria	639
Harizi v. France	643
Ukrainian Media Group v. Ukraine	645
Matheus v. France	649
Nevmerzhitsky v. Ukraine	653
Afanasayev v. Ukraine	661
Shamayev and 12 Others v. Georgia and Russia	665
Buck v. Germany	677
Öcalan v. Turkey	681
Pasculli v. Italy	691
Scordino v. Italy (No. 3)	691
Steck-Risch and Others v. Liechtenstein	693
Diamantides v. Greece (No. 2)	697
Kaufmann v. Italy	701
Buzescu v. Romania	703
Vetter v. France	705
Goktepe v. Belgium	709
Znamenskaya v. Russia	713
Ghmelit v. the Czech Republic	717
Fadeyeva v. Russia	721
Baklanov v. Russia	727
Krasuski v. Poland	729
Menet v. France	733
Independent News and Media plc and Independent Newspapers (Ireland) Limited v. Ireland	735
Sisojeva and Others v. Latvia	739
Storck v. Germany	743

Milatová and Others v. the Czech Republic	747
Kolanis v. the United Kingdom	749
Zawadka v. Poland	753
Jahn and Others v. Germany	757
“Bosphorus Airways” v. Ireland	763
Teteriny v. Russia	767
Turczanik v. Poland	771
Üner v. the Netherlands	775
Trubnikov v. Russia	779
Said v. the Netherlands	787
Nachova and Others v. Bulgaria	791
Malinovskiy v. Russia	799
Okyay and Others v. Turkey	805
Moldovan and Others v. Romania (No. 2)	809
Solodyuk v. Russia	817
Mežnarić v. Croatia	819
Străin and Others v. Romania	821
Rohde v. Denmark	825
Siliadin v. France	831
N. v. Finland	837
Alatukkkila and Others v. Finland	841
Taniş and Others v. Turkey	845
Stoianova and Nedelcu v. Romania	851

Decisions on Admissibility

Guigue and SGEN-CFDT v. France	855
Martinie v. France	859
Ashworth and Others v. the United Kingdom	861
Berdzenishvili v. Russia	863
Sardin v. Russia	865
Wretlund v. Sweden	867
Senator Lines GmbH v. 15 Member States of the European Union	869
Nasimi v. Sweden	871
Koval v. Ukraine	873
Shannon v. the United Kingdom	877

Moreira Barbosa v. Portugal	879
Cornelis v. the Netherlands	881
Guliyev v. Azerbaijan	883
Ülke v. Turkey	885
Request for an Advisory Opinion on the Co-existence of the CIS Convention and the European Convention	887
Cataldo v. Italy	891
Garimpo v. Portugal	893
Çiftçi v. Turkey	895
Fashkami v. the United Kingdom	897
Ndangoya v. Sweden	899
Harabin v. Slovakia	901
Salkic v. Sweden	903
Maurice and Others v. France	905
Boškoski v. the Former Yugoslav Republic of Macedonia	909
W.P. and Others v. Poland	911
Hun v. Turkey	913
Eurofinacom v. France	915
Delbos and Others v. France	919
Leger v. France	921
Çelik v. Turkey	925
Dragan and Others v. Germany	927
Reinprecht v. Austria	931
Schneider v. Germany	933
Falk v. the Netherlands	935
Jalloh v. Germany	937
Ward v. the United Kingdom	941
Němcová and Others v. the Czech Republic	943
Norwood v. the United Kingdom	945
Pütün v. Turkey	947
Bekos and Koutropoulos v. Greece	951
Amegnigan v. the Netherlands	955
Roseiro Bento v. Portugal	957
Swedish Transport Workers Union v. Sweden	959
Biç v. Turkey	961
Mentzen <i>alias</i> Mencena v. Latvia	963

Pentiacova and Others v. Moldova	967
Phull v. France	971
Emesa Sugar N.V. v. the Netherlands	973
Johetti Sarmelacat Ry and Others v. Finland	975
Bastone v. Italy	977
Accardi and Others v. Italy	981
Husain v. Italy	985
Sottani v. Italy	987
Charzyński v. Poland	991
Woś v. Poland	995
Bone v. France	999
Manoilescu and Dobrescu v. Romania and Russia	1001
Fairfield and Others v. the United Kingdom	1005
Skender v. the Former Yugoslav Republic of Macedonia	1007
Veermae v. Finland	1011
Christian Democratic People's Party v. Moldova	1015
Mattick v. Germany	1017
Von Maltzan and Others, von Zitzewitz and Others and Man Ferrostaal and Alfred Töpfer Stiftung v. Germany	1019
Cruz Da Silva Coelho v. Portugal	1025
M.A. v. the United Kingdom	1027
Pöder and Others v. Estonia	1029
Arrigo and Vella v. Malta	1031
Kalanyos and Others v. Romania	1035
Zarb Adami v. Malta	1039
Ratajczyk v. Poland	1041
Koons v. Italy	1043
Berisha and Haljiti v. the Former Yugoslav Republic of Macedonia	1045
Wiener Secession Vereinigung Bildender Künstler v. Austria	1049
Melnichuk v. Ukraine	1051
TWGS v. the United Kingdom	1053
Stec and Others v. the United Kingdom	1055
Clarke v. the United Kingdom	1059
Ceylan v. Turkey	1061

INDICES

Names of cases	1063
Cases by applicable Articles of the Convention, Protocols and Rules	1072
Abbreviations	1087
Substantive Articles of the European Convention on Human Rights and Protocols Nos. 1, 4, 6 and 7	1087