



Judgments¹ concerning Bulgaria, Greece, Latvia, Moldova, Poland, Portugal, Romania, Russia, Slovakia and Turkey

The European Court of Human Rights has today notified in writing the following 14 judgments.

Length-of-proceedings cases, with the Court's main finding indicated, can be found at the end of the press release. The judgments available only in French are indicated with an asterisk (*).

Venios v. Greece (application no. 33055/08)*

The applicant, Ioannis Venios, is a Greek national who was born in 1963 and lives in Athens. Relying in particular on Article 5 § 1 (right to liberty and security) of the European Convention on Human Rights, he complained about his psychiatric confinement, without his consent, in December 2007 and January 2008.

Violation of Article 5 § 1

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

Karņejevs v. Latvia (no. 14749/03)

The applicant, Valentīns Karņejevs, is permanently resident but not a citizen of Latvia who was born in 1978 and is currently serving a 21-year sentence in Jelgava Prison (Latvia) for aggravated murder and theft. Relying in particular on Article 5 § 4 (right to liberty and security) of the Convention, he complained about the unlawfulness and lack of judicial review of his detention after he had been committed for trial in May 2000.

Violation of Article 5 § 4

Just satisfaction: No claim made by the applicant

Dan v. Moldova (no. 8999/07)

The applicant, Mihail Dan, is a Moldovan national who was born in 1947 and lives in Bender (Moldova). A former high school principal in Chişinău, he complained about the unfairness of criminal proceedings brought against him for requesting and receiving a bribe in January 2004 in exchange for accepting a pupil's transfer to his school. He alleged in particular that his initial acquittal had then been overturned on appeal without the witnesses for the prosecution being re-heard. He was found guilty as charged and sentenced to a five-year suspended prison sentence as well as a fine of 60,000 Moldovan

1 Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution

lei (the equivalent of about 3,350 euros). He relied in particular on Article 6 § 1 (right to a fair trial).

Violation of Article 6 § 1 (fairness)

Just satisfaction: EUR 2,000 (non-pecuniary damage) and EUR 3,000 (costs and expenses)

Haritonov v. Moldova (no. 15868/07)

The applicant, Ghenadi Haritonov, is a Ukrainian national who was born in 1970 and lives in Comyshany (Ukraine). Arrested in May 2006 on charges of possessing false identity papers, Mr Haritonov complained about the inhuman conditions of his ensuing detention. He relied in particular on Article 3 (prohibition of inhuman or degrading treatment).

Violation of Article 3 (prohibition of inhuman or degrading treatment)

Just satisfaction: EUR 4,000 (non-pecuniary damage) and EUR 1,200 (costs and expenses)

Moreira Ferreira v. Portugal (no. 19808/08)*

The applicant, Francelina Fontes Moreira Ferreira, is a Portuguese national who was born in 1961 and lives in Matosinhos (Portugal). Relying in particular on Article 6 § 1 (right to a fair trial), she complained that she had not been heard by the Oporto Court of Appeal in criminal proceedings brought against her for threats and insults, resulting in a sentence of 265 hours of community service.

Violation of Article 6 § 1 (fairness)

Just satisfaction: EUR 2,400 (non-pecuniary damage) and EUR 2,000 (costs and expenses)

Csiki v. Romania (no. 11273/05)*

The applicant, Gabriela Csiki, is a Romanian national who was born in 1944 and lives in Târgu-Mureş (Romania). Relying on Article 2 (right to life), she complained in particular about the circumstances in which her son had died in 2001 during his military service and alleged that the criminal investigation into the incident had been ineffective. Relying on Article 6 (right to a fair hearing within a reasonable time and right of access to a court), she also complained that the duration of the criminal proceedings concerned had been excessive and that her compensation request in those proceedings had not been examined by the domestic authorities. Relying lastly on Article 13 (right to an effective remedy), she complained that the investigation into her son's death had not been adequate or effective, adding that no remedy was available in Romania to enable her to complain about the length of the criminal proceedings in which she had made her compensation request.

No violation of Article 2

Violation of Article 6 § 1 (length)

Violation of Article 13

Just satisfaction: EUR 2,000 (non-pecuniary damage) and EUR 1,500 (costs and expenses)

Gadamauri and Kadyrbekov v. Russia (no. 41550/02)

The applicants, Kuri Gadamauri and Magomed Kadyrbekov, are Russian nationals who were born in 1942 and 1975 respectively and live in Volzhskiy (Volgograd Region, Russia). On their way to the hospital on 15 September 1999 as Mr Gadamauri was suffering from severe abdominal pain, the applicants were stopped by the police and

taken into detention. The case concerned, in particular, Mr Gadamauri's allegation that, despite his constant requests for medical help, he had not been hospitalised until 18 September when he had collapsed unconscious. He had emergency surgery for a burst appendix (peritonitis) and suffered from various post-operative complications. He relied in particular on Article 3 (prohibition of inhuman or degrading treatment).

(Mr Gadamauri) Violation of Article 3 (prohibition of inhuman or degrading treatment)

Just satisfaction: to Mr Gadamauri, EUR 30,000 (non-pecuniary damage) and EUR 120 (costs and expenses)

Mihal v. Slovakia (no. 22006/07)

The applicant, Karol Mihal, is a Slovak national who was born in 1954 and lives in Malá Ida (Slovakia). A bailiff, Mr Mihal complained that he had been denied the right to appeal against decisions taken by senior court officers concerning claims he had made for reimbursement of costs he had incurred when carrying out enforcement proceedings. He relied on Article 6 § 1 (right to a fair hearing).

Violation of Article 6 § 1 (fairness)

Just satisfaction: EUR 4,000 (non-pecuniary damage)

Metin v. Turkey (no. 26773/05)*

The applicant, Abdurrahmann Metin and Remziye Metin, are two Turkish nationals who were born in 1951 and 1952 respectively and live in Diyarbakır (Turkey). Relying in particular on Article 2 (right to life), they complained about the circumstances in which their son had met his death in 2004 during his compulsory military service and alleged that the criminal investigation into the death had been ineffective. The investigation in question had reached a finding of suicide but they argued that he had been killed.

Violation of Article 2 (right to life)

No violation of Article 2 (lack of effective investigation)

Just satisfaction: jointly, EUR 18,000 (non-pecuniary damage) and EUR 1,000 (costs and expenses)

Length-of-proceedings cases

In the following cases, the applicants complained in particular about the excessive length of legal proceedings.

Criminal

Jurewicz v. Poland (no. 18500/10)

This case concerned the applicant's complaint concerning the excessive length of criminal proceedings brought against him for various offences including extortion and drug trafficking.

Violation of Article 6 § 1

Non-criminal

Rositsa Georgieva v. Bulgaria (no. 32455/05)

Violation of Article 6 § 1

Violation of Article 13 in conjunction with Article 6 § 1

Cojocararu and Others v. Romania (nos. 27269/07, 48668/07 and 20729/09)

Glasberg and Others v. Romania (nos. 29292/02, 32538/05, 24265/07 and 21985/08)

Velcescu and Others v. Romania (nos. 29190/04, 25966/05, 1781/07, 16270/07, 20277/07 and 57610/08)

Violation of Article 6 § 1 – in all three cases

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Press contacts

echrpress@echr.coe.int | tel: +33 3 90 21 42 08

Emma Hellyer (tel: + 33 3 90 21 42 15)

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)

Kristina Pencheva-Malinowski (tel: + 33 3 88 41 35 70)

Frédéric Dolt (tel: + 33 3 90 21 53 39)

Nina Salomon (tel: + 33 3 90 21 49 79)

The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.