



Judgments¹ concerning Estonia, Russia and Slovakia

The European Court of Human Rights has today notified in writing the following three judgments, none of which are final.

Yakubov v. Russia (no. 7265/10)

The applicant, Umid Yakubov, is an Uzbek national who was born in 1969. Mr Yakubov arrived in Russia in May 2009 and, since that time, has had extradition and expulsion proceedings brought against him and has been refused asylum. He is currently residing in the town of Ryazan (Russia) pending an expulsion order issued against him in February 2010. The Russian Government were subsequently requested by the European Court of Human Rights, under Rule 39 (interim measures) of its Rules of Court, not to remove Mr Yakubov to Uzbekistan until further notice. Mr Yakubov alleged that, if extradited to Uzbekistan, where he is on a wanted list on suspicion of being a member of Hizb ut-Tahrir, a banned transnational Islamic organisation, he would be at real risk of persecution and ill-treatment. He relied on Article 3 (prohibition of inhuman or degrading treatment) and Article 13 (right to an effective remedy).

Violation of Article 3 in case the applicant was extradited to Uzbekistan
Violation of Article 13

Just satisfaction: EUR 1,800 (costs and expenses)

The Court decided to continue to indicate to the Government under Rule 39 of the Rules of Court that it is desirable in the interests of the proper conduct of the proceedings not to expel the applicant until such time as the present judgment becomes final or further order.

Kormoš v. Slovakia (no. 46092/06)

The applicant, Attila Kormoš, is a Slovak national who was born in 1974 and lives in Štúrovo (Slovakia). Arrested in February 2004 on suspicion of robbery, he was remanded in custody until his release in February 2006. Relying in particular on Article 5 § 1 (right to liberty and security), he complained in particular that his detention after 24 January 2005 was unlawful as there had been no judicial decision to extend his detention after that date. Although awarded the equivalent of 2,818 euros in compensation in the ensuing constitutional proceedings he had brought (in which the courts acknowledged a violation of Article 5 § 1), he complained that it was insufficient.

Violation of Article 5 § 1

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

Just satisfaction: EUR 12,000 (non-pecuniary damage) and EUR 2,000 (costs and expenses)

Length-of-proceedings case

In the following case, the applicant complained in particular under Article 6 § 1 (right to a fair trial) and Article 13 (right to an effective remedy) about the excessive length of administrative proceedings.

Raudsepp v. Estonia (no. 54191/07)

No violation of Article 6 § 1
Violation of Article 13

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