

Summaries of Final Resolutions adopted by the Committee of Ministers in 2003

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Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)131	AUT / Baischer	32381/96	20/03/2002 20/12/2001	Access to and effective functioning of justice: <i>Unfair administrative criminal proceedings due to the lack of a public hearing before an Independent Administrative Panel for an offence under the Motor Vehicles Act. (Article 6 §1)</i>	Individual measures: The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. General measures: Violation due to a judicial error. The judgment was published and disseminated to the authorities concerned.
ResDH(2003)29	AUT / Biegler Bau GesmbH	32097/96	11/07/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	Individual measures: Just satisfaction in respect of all possible claims paid as agreed in the friendly settlement. General measures: None.
ResDH(2003)155	AUT / Dichand and Others	29271/95	26/05/2002 26/02/2002	Freedom of expression: <i>Disproportionate interference due to the injunction prohibiting the applicant editor and media company from repeating certain critical statements made on a member of Parliament. (Article 10)</i>	Individual measures: Just satisfaction in respect of pecuniary (legal costs which had to be paid to the politician in domestic proceedings) and non-pecuniary damage paid. General measures: See ResDH(2003)150 in Jerusalem. The judgment was published and transmitted to the authorities concerned.
ResDH(2003)162	AUT / Freiheitliche Landesgruppe Burgenland	34320/96	18/07/2002 Friendly settlement	Freedom of expression: <i>Disproportionate interference due to the applicant party's conviction for insult and to pay damages following the publication of a caricature in its periodical. (Article 10)</i>	Individual measures: Global sum paid as agreed in the friendly settlement. General measures: None.
ResDH(2003)139	AUT / Informationsve	37093/97	28/11/2002 Friendly	Freedom of expression and information: <i>Disproportionate interference due to the</i>	Individual measures: The amount agreed on in the friendly settlement was paid.

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	rein Lentia No.2		settlement	<i>applicant association's inability to obtain radio and television broadcasting licences despite a prior ECtHR judgment. (Article 10)</i>	<u>General measures:</u> See ResDH(98)142 in Informationsverein Lentia No. 1, in particular concerning the new Act on cable and satellite broadcasting.
ResDH(2003)150	AUT / Jerusalem	26958/95	27/05/2001 27/02/2001	Freedom of expression: <i>Disproportionate interference due to the injunction prohibiting the applicant from repeating certain statements made in the municipal council in the exercise of her political functions. (Article 10)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. The applicant may request the lifting of the injunction. <u>General measures:</u> See ResDH(93) in Oberschlick No. 1, in particular concerning the distinction between value judgments and statements of fact. The judgment was published and transmitted to the Supreme Court, which changed its case-law regarding the balance between public and private interests in the context of "permissible criticism" expressed in the political arena.
ResDH(2003)126	AUT / Josef Fischer	33382/96	17/04/2002 17/01/2002	Access to end effective functioning of justice: <i>Unfair criminal proceedings before the Supreme Court concerning the applicant's plea of nullity as the General Attorney's comments had not been communicated to the defence. (Article 6 §1)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures:</u> See ResDH(97) in Bulut, in particular concerning the Act of 1996 providing that the communication of the observations of the prosecution may only be dispensed of if the prosecutor supports the accused or if his appeal is upheld in full.
ResDH(2003)156	AUT / Krone Verlag GmbH and CoKG	34315/96	26/05/2002 26/02/2002	Freedom of expression: <i>Disproportionate interference due to an injunction prohibiting the applicant newspaper company to publish the photograph of a politician in the context of allegations concerning his sources of income. (Article 10)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction for non-pecuniary damage. Pecuniary damage paid. <u>General measures:</u> See ResDH(2001)1 in News Verlag GmbH and CoKG. The judgment was published and transmitted to all authorities concerned.
ResDH(2003)1	AUT / Riepan	35115/97	14/02/2001 14/11/2000	Access to and effective functioning of justice: <i>Unfair criminal proceedings due to the lack of a public hearing as the trial</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction for non-pecuniary damage. <u>General measures:</u> The judgment was published, translated and

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				<i>concerning incidents which occurred in prison was held in prison where the accused was detained. (Article 6 §1)</i>	disseminated to the Presidents of Higher Regional Courts and the State Attorneys General with a circular of the Ministry of Justice underlining the special forms of announcement needed in case a trial has to take place outside the premises of a regular court.
ResDH(2003)109	AUT / Siegl	36075/97	20/06/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of land consolidation proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Amount agreed on in respect of any possible claim paid. <u>General measures:</u> None.
ResDH(2003)48	AUT / T.	27783/95	14/11/2000	Access to and effective functioning of justice: <i>Excessive length of civil proceedings and unfair criminal proceedings due to the applicant's conviction, without his knowledge, for abuse of process in the context of his application for legal aid resulting in the imposition of a fine. (Articles 6 §1 and 6 §1 in conjunction with 6 §3a+b)</i>	<u>Individual measures:</u> No claim submitted. <u>General measures:</u> The impugned provision of the Code of Civil Procedure was amended in 2001 reducing the maximum amounts for abuse of process and abolishing the possibility of conversion into a prison term. The judgment was published, translated and disseminated to the judicial authorities.
ResDH(2003)157	AUT / Unabhängige Initiative Informationsvielfalt	28525/95	26/05/2002 26/02/2002	Freedom of expression: <i>Disproportionate interference due to the injunction prohibiting the applicant association from repeating certain critical statements made on a member of Parliament, notably concerning "racist agitation". (Article 10)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary (legal costs which had to be paid to the politician in domestic proceedings) and non-pecuniary damage paid. <u>General measures:</u> See ResDH(2003)150 in Jerusalem. The judgment was published and transmitted to the authorities concerned.
ResDH(2003)175	AUT / Vereinigung Demokratischer Soldaten Österreichs and Gubi	15153/89	19/12/1994	Freedom of expression and lack of a remedy: <i>Disproportionate interference due to the Ministry of Defence's refusal to place the periodical published by the applicant association on the list of publications distributed free of charge to soldiers and prohibition of the second applicant to distribute it. (Articles 10 and</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures:</u> In 1991, the Constitution was amended and Independent Administrative Tribunals were set up to examine complaints about the infringement of persons' rights through the exercise of immediate authority of command or coercion. The application of the procedure before Independent Administrative Tribunals in the military context was clarified in

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				<i>13 (only with regard to the first applicant)</i>	the new Military Powers Act of 2001. The judgment was published and translated.
ResDH(2003)30	CRO / Majstotovic	53227/99	06/06/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> None.
ResDH(2003)67	CYP / Alithia Publishing Company	53594/99	11/10/2002 11/07/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned.
ResDH(2003)11	CYP / Geogiadis	50516/99	14/08/2002 14/05/2002	Access to and effective functioning of justice: <i>Excessive length of criminal proceedings against a businessman who was finally acquitted. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for pecuniary (loss of opportunity) and non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned.
ResDH(2003)68	CYP / Markass Car Hire Ltd	51591/99	06/11/2002 02/07/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned.
ResDH(2003)49	CYP / Selim	47293/99	16/07/2002 Friendly settlement	Right to marry: <i>Denial of the right to marry due to the lack of legislation governing the marriage of Turkish Cypriots. (Article 12)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> A new law providing for the temporary application of the Marriage Law to the members of the Turkish community was adopted. A new law on Civil Marriage incorporated these temporary provisions has been tabled in Parliament in 2002.
ResDH(2003)69	FIN / L.	25651/94	27/07/2000 27/04/2000	Access to and effective functioning of justice: <i>Unfair proceedings concerning the access of the applicants to their children</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures:</u> Violation due to the specific circumstances

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				<i>and grandchildren placed in public care, due to the lack of an oral hearing before the County Administrative court. (Article 6 §1)</i>	of the case. The judgment was published, translated and disseminated to all authorities concerned, including the High Supreme Court, the High Administrative Court and the Chancellor of Justice.
ResDH(2003)52	FRA / Arenó	24263/94	18/02/1998	Protection of rights in detention: <i>Excessive length of detention on remand. (Article 5 §3)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> See Resolution ResDH(2003)50 in the case of Muller. The judgment was published and disseminated to the authorities concerned.
ResDH(2003)90	FRA / A.S.	27518/95	18/02/1998	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before the Social Chamber of the Cour de cassation. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> see Resolution ResDH(2003)88 in the Hermant case.
ResDH(2003)70	FRA / Beaume Marty	55672/00	19/06/2002 19/03/2002	Access to and effective functioning of justice: <i>Excessive length of administrative proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned.
ResDH(2003)95	FRA / Benzi	46280/99	19/06/2002 19/03/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before administrative and labour courts. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> None.
ResDH(2003)12	FRA / Brochu	41333/98	12/09/2001 12/06/2001	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned.
ResDH(2003)14	FRA / Chapus	46693/99	24/01/2001 24/10/2000	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before labour courts. (Article 6</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and

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				§1)	disseminated to the authorities concerned.
ResDH(2003)92	FRA / Djaid	38687/97	29/12/1999 29/09/1999	Access to and effective functioning of justice: Excessive length of criminal proceedings, in particular before the Court de Cassation. (Article 6 §1)	Individual measures: Just satisfaction in respect of non-pecuniary damage paid. General measures: See ResDH(2003)88 in Hernant, in particular concerning the improvement of the processing of appeals and staff reinforcement.
ResDH(2003)160	FRA / Donnadieu	39066/97	27/05/2001 27/02/2001	Access to and effective functioning of justice: Excessive length of civil proceedings for damages following confinement in a psychiatric hospital. (Article 6 §1)	Individual measures: Just satisfaction for non-pecuniary damage paid. General measures: The judgment was published and transmitted to the authorities directly concerned.
ResDH(2003)71	FRA / Dulaurans	34553/97	21/03/2000	Access to and effective functioning of justice: Unfair civil proceedings due to the dismissal by the Court de Cassation of the applicant's appeal on points of law as a consequence of a clear error. (Article 6 §1)	Individual measures: Just satisfaction in respect of pecuniary and non-pecuniary damage paid. General measures: The judgment was published and disseminated to the authorities concerned.
ResDH(2003)104	FRA / Dunan	49342/99	30/10/2001 Friendly settlement	Access to and effective functioning of justice: Excessive length of criminal proceedings. (Article 6 §1)	Individual measures: Amount agreed on in respect of non-pecuniary damage paid. General measures: None.
ResDH(2003)53	FRA / Elbialy	23438/94	15/11/1996	Protection of rights in detention: Excessive length of detention on remand. (Article 5 §3)	Individual measures: Just satisfaction in respect of non-pecuniary damage paid. General measures: See Resolution ResDH(2003)50 in the case of Muller. The judgment was published and disseminated to the authorities concerned.
ResDH(2003)96	FRA / Francisco	38945/97	13/02/2002 13/11/2001	Access to and effective functioning of justice: Excessive length of civil proceedings before administrative courts. (Article 6 §1)	Individual measures: Just satisfaction in respect of non-pecuniary damage paid. General measures: None.

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ResDH(2003)54	FRA / G.N. II	22578/93	18/02/1998	Protection of rights in detention: Excessive length of detention on remand. (Article 5 §3)	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> See Resolution ResDH(2003)50 in the case of Muller. The judgment was published and disseminated to the authorities concerned.
ResDH(2003)55	FRA / Gombert and Gochgarian	39779/98+	13/05/2001 13/02/2001	Protection of rights in detention: Excessive length of detention on remand. (Article 5 §3)	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures:</u> See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002.
ResDH(2003)97	FRA / Goubert and Labbé	49622/99	19/06/2002 19/03/2002	Access to and effective functioning of justice: Excessive length of civil proceedings before administrative courts. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> None.
ResDH(2003)98	FRA / Grand	50996/99	26/06/2002 26/03/2002	Access to and effective functioning of justice: Excessive length of civil proceedings before administrative courts. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> None.
ResDH(2003)87	FRA / Guisset	33933/96	26/09/2000	Access to and effective functioning of justice: Excessive length of criminal proceedings and lack of a public hearing before the Disciplinary Offences (Budget and Finance) Court. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> Change of case-law on the basis of a judgment by the Conseil d'Etat which held that in similar cases a public hearing must be held before the Disciplinary Offences Court. The judgment was published and transmitted to the authorities concerned.
ResDH(2003)88	FRA / Hermant	31603/96	24/07/2000	Access to and effective functioning of justice: Excessive length of civil proceedings before the Cour de cassation. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> To deal with the heavy case-load in certain divisions of the Court of Cassation, changes have been made in

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					the processing and the hearing of appeals and staffing levels were increased. The Code on the Organisation of the Courts was amended by the Institutional Act in 2002 to filter clearly unfounded applications (three judges). Moreover, the trial and appeal courts may seek the Court of Cassation's opinion on a question of law arising in a significant number of cases, which has not yet been settled, thereby making it possible to avoid the emergence of causes for dispute. The period between the date of the hearing and delivery of the judgment has been reduced to not more than four weeks. Furthermore, measures were taken to rationalise the handling of cases (e.g. to group appeals by series, to link appeals raising the same point of law, with a view to hearing them concurrently or in a co-ordinated manner).
ResDH(2003)56	FRA / I.A.	28213/95	23/09/1998	Protection of rights in detention and access to and effective functioning of justice: <i>Excessive length of detention on remand and excessive length of criminal proceedings. (Articles 5 §3 and 6 §1)</i>	<i>Individual measures:</i> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <i>General measures:</i> See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002. The judgment was transmitted to the authorities concerned.
ResDH(2003)105	FRA / Ivars	49350/99	30/10/2001 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before administrative courts. (Article 6 §1)</i>	<i>Individual measures:</i> Amount agreed on in respect of non-pecuniary damage paid. <i>General measures:</i> None.
ResDH(2003)57	FRA / J-P. D.V.	18847/91	16/11/1994	Protection of rights in detention and protection of private life and correspondence: <i>Excessive length of detention on remand as well as telephone conversations intercepted and recorded by the police. (Article 5 §3)</i>	<i>Individual measures:</i> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <i>General measures:</i> The law on the protection of the presumption of innocence and the rights of victims of 2000 introduced a preliminary article in the Penal Code establishing the guiding principles for criminal proceedings, in particular those comprised in Articles 5 and 6 ECHR. Several provisions of

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					the Criminal Procedure Code were amended. The law was complemented in 2002 with provisions restricting the conditions and duration for detention on remand (see ResDH(2003)50 in the case of Muller). The Act concerning the secrecy of correspondence transmitted through telecommunications of 1991 conferred a legal basis on telephone-tapping (see Resolution DH(92)40 in the case of Huvig).
ResDH(2003)13	FRA / Joly	43713/98	27/06/2001 27/03/2001	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned.
ResDH(2003)58	FRA / L.D.	15091/89	20/09/1994	Protection of rights in detention: Excessive length of detention on remand. (Article 5 §3)	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures:</u> See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002.
ResDH(2003)59	FRA / Lanza	21911/93	28/01/1997	Protection of rights in detention: Excessive length of detention on remand. (Article 5 §3)	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures:</u> See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002.
ResDH(2003)99	FRA / Linard	42588/98	25/06/2002 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings before administrative courts. (Article 6 §1)	<u>Individual measures:</u> Amount agreed on in respect of non-pecuniary damage paid. <u>General measures:</u> None.
ResDH(2003)106	FRA / Lucas	37257/97	28/02/2001 28/11/2000	Access to and effective functioning of justice: Excessive length of criminal	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid.

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				<i>proceedings combined with a civil action for damage. (Article 6 §1)</i>	<u>General measures</u> : The judgment was transmitted to the authorities concerned.
ResDH(2003)100	FRA / Moullet	44485/98	26/06/2002 26/03/2002	Access to and effective functioning of justice : <i>Excessive length of civil proceedings before administrative courts. (Article 6 §1)</i>	<u>Individual measures</u> : Just satisfaction in respect of non-pecuniary damage paid. <u>General measures</u> : The judgment was transmitted to the authorities concerned.
ResDH(2003)101	FRA / Moyer	45573/99	25/06/2002 Friendly settlement	Access to and effective functioning of justice : <i>Excessive length of civil proceedings before administrative courts. (Article 6 §1)</i>	<u>Individual measures</u> : Amount agreed on in respect of non-pecuniary damage paid. <u>General measures</u> : None.
ResDH(2003)60	FRA / Morganti	17831/91	06/09/1995	Protection of rights in detention : <i>Excessive length of detention on remand. (Article 5 §3)</i>	<u>Individual measures</u> : The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures</u> : See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002.
ResDH(2003)50	FRA / Muller	21802/93	17/03/1997	Protection of rights in detention : <i>Excessive length of detention on remand. (Article 5 §3)</i>	<u>Individual measures</u> : The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures</u> : The law on the protection of the presumption of innocence and the rights of victims of 2000 introduced a preliminary article in the Penal Code establishing the guiding principles for criminal proceedings, in particular those comprised in Articles 5 and 6 ECHR. Several provisions of the Criminal Procedure Code were amended. The law was complemented in 2002 with provisions restricting the conditions and duration for detention on remand.
ResDH(2003)91	FRA / Nagler	35259/97	14/02/2000	Access to and effective functioning of justice : <i>Excessive length of civil proceedings before labour courts and the Cour de cassation. (Article 6 §1)</i>	<u>Individual measures</u> : Just satisfaction in respect of non-pecuniary damage paid. <u>General measures</u> : see Resolution ResDH(2003)88 in the Hermant case.

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ResDH(2003)61	FRA / P.B.	38781/97	01/11/2000 01/08/2000	Protection of rights in detention and access to and effective functioning of justice: <i>Excessive length of detention on remand and excessive length of criminal proceedings. (Articles 5 §3 and 6 §1)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. <u>General measures:</u> See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002. The judgment was transmitted to the authorities concerned.
ResDH(2003)94	FRA / Peltier	32872/96	21/08/2002 21/05/2002	Access to and effective functioning of justice: <i>Lack of access to a tribunal to challenge a speeding ticket on unfounded grounds and in disregard of the presumption of innocence. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary damage (fine imposed) paid. <u>General measures:</u> The judgment was transmitted to the authorities concerned.
ResDH(2003)102	FRA / Ribes	41946/98+	07/08/2002 07/05/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> The judgment was transmitted to the authorities concerned.
ResDH(2003)62	FRA / Richet	34947/97	13/05/2001 13/02/2001	Protection of rights in detention and access to and effective functioning of justice: <i>Excessive length of detention on remand and excessive length of criminal proceedings. (Articles 5 §3 and 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002. The judgment was transmitted to the authorities concerned.
ResDH(2003)103	FRA / Société Comabat	51818/99	26/06/2002 26/03/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before administrative courts. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> The judgment was published and transmitted to the authorities concerned.
ResDH(2003)93	FRA / Société Fruehauf	26496/95	18/02/1998	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before the social security</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> see Resolution ResDH(2003)88 in the

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				<i>courts and the Cour de cassation. (Article 6 §1)</i>	Hermant case.
ResDH(2003)63	FRA / Touihri	24245/94	15/11/1996	Protection of rights in detention and access to and effective functioning of justice: <i>Excessive length of detention on remand and excessive length of criminal proceedings. (Articles 5 §3 and 6 §1)</i>	Individual measures: Just satisfaction in respect of non-pecuniary damage paid. General measures: See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002. The judgment was transmitted to the authorities concerned.
ResDH(2003)107	FRA / Thurin	32033/96	28/02/2001 28/11/2000	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	Individual measures: Just satisfaction in respect of non-pecuniary damage paid. General measures: The judgment was transmitted to the authorities concerned.
ResDH(2003)15	FRA / Vallar	42406/98	19/06/2002 19/03/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before labour courts. (Article 6 §1)</i>	Individual measures: Just satisfaction for non-pecuniary damage paid as agreed. General measures: The judgment was published and disseminated to the authorities concerned.
ResDH(2003)64	FRA / Zannouti	42211/98	31/10/2001 31/07/2001	Protection of rights in detention and access to and effective functioning of justice: <i>Excessive length of detention on remand and excessive length of criminal proceedings. (Articles 5 §3 and 6 §1)</i>	Individual measures: Just satisfaction in respect of non-pecuniary damage paid. General measures: See ResDH(2003)50 in Muller, in particular concerning the law of 2000 on the protection of the presumption of innocence and the rights of victims, completed in 2002. The judgment was transmitted to the authorities concerned.
ResDH(2003)163	GER / Axen, Teubner and Jossifov	54999/00	27/02/2003 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before administrative courts and the Federal Constitutional Court. (Article 6 §1)</i>	Individual measures: Global sum all damages included paid as agreed in the friendly settlement. General measures: None.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)127	GER / Becker	45448/99	26/12/2002 26/09/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings, in particular before the Federal Court of Justice and the Federal Constitutional Court. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction in respect of non-pecuniary damage paid. <i>General measures:</i> See ResDH(2001)6 in Pammel and ResDH(2001)7 in Probstmeier. The judgments were published and disseminated.
ResDH(2003)2	GER / Garcia Alva	23541/94	13/02/2001	Protection of rights in detention: <i>Infringement of the principle of equality of arms in proceedings concerning the lawfulness of the applicant's detention on remand due to the lacking access of his counsel to the criminal file. (Article 5 §4)</i>	<i>Individual measures:</i> The finding of a violation constituted sufficient just satisfaction for non-pecuniary damage. <i>General measures:</i> The Code of Criminal Procedure was amended in 2000 to grant defence counsels the right to consult the case files and to inspect the exhibits to be presented in the trial. The judgment was published, translated and disseminated to the authorities concerned.
ResDH(2003)3	GER / Lietzow	24479/94	13/02/2001	Protection of rights in detention: <i>Infringement of the principle of equality of arms in proceedings concerning the lawfulness of the applicant's detention on remand due to the lacking access of his counsel to the criminal file. (Article 5 §4)</i>	<i>Individual measures:</i> The finding of a violation constituted sufficient just satisfaction for non-pecuniary damage. <i>General measures:</i> The Code of Criminal Procedure was amended in 2000 to grant defence counsels the right to consult the case files and to inspect the exhibits to be presented in the trial. The judgment was published, translated and disseminated to the authorities concerned.
ResDH(2003)4	GER / Schöps	25116/94	13/02/2001	Protection of rights in detention: <i>Infringement of the principle of equality of arms in proceedings concerning the lawfulness of the applicant's detention on remand due to the lacking access of his counsel to the criminal file. (Article 5 §4)</i>	<i>Individual measures:</i> The finding of a violation constituted sufficient just satisfaction for non-pecuniary damage. <i>General measures:</i> The Code of Criminal Procedure was amended in 2000 to grant defence counsels the right to consult the case files and to inspect the exhibits to be presented in the trial. The judgment was published, translated and disseminated to the authorities concerned.
ResDH(2003)7	GRC / "Avis Touris, Hotel and rural Industry	30175/96	10/04/2000	Access to and effective functioning of justice / protection of property: <i>Unfair expropriation proceedings as provisional compensation had been fixed without the</i>	<i>Individual measures:</i> Just satisfaction for pecuniary damage paid as agreed. <i>General measures:</i> In 2001, the Real Estate Expropriation Code abolished the practice of "setting-off" legal costs in

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
	Enterprises”			<i>applicant being summoned to appear; excessive length of the proceedings; lack of a reasonable compensation paid within the time-limit provided for by law and on account of the "setting-off"-system resulting in legal costs not being reimbursed to the persons who were expropriated. (Articles 6 §1 and 1 of Protocol No. 1)</i>	expropriation procedures, as established in the established in a law of 1957. The Commission's report had been circulated to the competent authorities and the civil courts, leading in 2000 to a change in the case-law of the Court of Cassation, which concluded in plenary that protection of the right to own property required the compensation paid to the expropriated person to be “full” and “intact”. It should therefore also cover legal costs.
ResDH(2003)5	GRC / Biba	33170/96	26/12/2000 26/09/2000	Access to and effective functioning of justice: <i>Unfair criminal proceedings due to the applicant's inability to file an appeal on points of law before the Court of Cassation as domestic law did not provide for free legal assistance or the possibility to conduct his appeal in person. (Article 6 §§1+3c)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> Violation due to the Court of Cassation's case-law according to which the Criminal Procedure Code did not provide for legal aid for appeals on points of law. The judgment was published and disseminated to the State Legal Council. In 1999, the Code of Criminal Procedure was amended to enlarge the possibilities of ex officio free legal aid, including to the whole of proceedings before the Court of Cassation.
ResDH(2003)140	GRC / Dionyssios Petrotos	43597/98	29/02/2000 Friendly settlement	Access to and effective functioning of justice: <i>Non-enforcement of two judicial decisions ordering a local water-supply company to pay compensation for having deprived the applicant's agricultural land of water unlawfully. (Article 6 §1)</i>	<u>Individual measures:</u> The amount agreed on in the friendly settlement was paid. <u>General measures</u> are examined in the context of several other judgments in similar cases, in particular Horsby, Iatridis and Antonakopoulos.
ResDH(2003)31	GRC / Livanos H., G. and E.	53051/99	16/05/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of criminal proceedings combined with civil action for damages. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for pecuniary and non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> None.
ResDH(2003)6	GRC / Karakasis	38194/97	17/01/2001 17/10/2000	Access to and effective functioning of justice: <i>Inability to obtain compensation for detention on remand on acquittal on</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> An amendment of the Constitution in 2001

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
				<i>the basis of an unreasoned decision by the trial court taken proprio motu without hearing the applicant. (Article 6 §1 twice)</i>	requires that judicial decisions be reasoned in detail. Subsequently the Code of Criminal Procedure was amended to exclude the possibility to refuse compensation due to "gross negligence" of the detainee, as in the present case. The judgment was published, translated and disseminated.
ResDH(2003)16	GRC / Limited Liability Company Sotiris and Nikos Koutras Attee	39442/98	16/02/2001 16/11/2000	Access to and effective functioning of justice: <i>Disproportionate restriction of the applicant company's access to a court on account of the rejection by the Supreme Administrative Court of its request to set aside an administrative decision due to excessive formalism as regards the conditions to lodge an appeal. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. <u>General measures:</u> The judgment was published and disseminated to the State Legal Council and the authorities concerned.
ResDH(2003)32	GRC / Teka Ltd	50529/99	26/06/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for pecuniary and non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> None.
ResDH(2003)33	GRC / Tiburzi	49222/99	25/10/2001 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for pecuniary and non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> None.
ResDH(2003)185	GRC / Tsavachidis	28802/95	21/01/1999 Friendly settlement	Protection of private life: <i>Alleged secret surveillance of a member of Jehovah's Witnesses. (Articles 8 and 9)</i>	<u>Individual measures:</u> Amount agreed on in the friendly settlement paid (costs incurred in proceedings before the HR Commission). <u>General measures:</u> The government stated that the Jehovah's Witnesses would never be subject to secret surveillance on account of their religious beliefs. The settlement was published and translated.
ResDH(2003)110	HUN / Bodine Bencze	42373/98	01/10/2002 Friendly	Access to and effective functioning of justice: <i>Excessive length of civil</i>	<u>Individual measures:</u> Amount agreed on in respect of any possible claim paid.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
			settlement	<i>proceedings. (Article 6 §1)</i>	<u>General measures</u> : None.
ResDH(2003)133	HUN / Erdős	38937/97	09/07/2002 09/04/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures</u> : Just satisfaction for non-pecuniary damage paid. <u>General measures</u> : See ResDH(2003)137 in Magyar.
ResDH(2003)141	HUN / Hegedüs	43649/98	25/03/2003 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures</u> : Just satisfaction for non-pecuniary damage paid. <u>General measures</u> : See ResDH(2003)137 in Magyar.
ResDH(2003)111	HUN / Kosa	43352/98	01/10/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures</u> : Amount agreed on in respect of any possible claim paid. <u>General measures</u> : None.
ResDH(2003)132	HUN / Magyar	32396/96	11/04/2001 11/01/2001	Access to and effective functioning of justice: <i>Excessive length of civil proceedings concerning the expropriation of the applicant's house. (Article 6 §1)</i>	<u>Individual measures</u> : Just satisfaction for non-pecuniary damage paid. A request of the government concerning the acceleration of proceedings was conveyed to the Supreme Court. <u>General measures</u> : Violation due to the specific circumstances of the case. The judgment was published, translated and transmitted to courts and the National Council.
ResDH(2003)8	IRL / Croke	33267/96	21/3/2001 21/12/2002 Friendly settlement	Protection of rights in detention: <i>Absence of an independent and automatic review prior to or immediately after the applicant's initial and absence of an automatic review of his continued detention in a psychiatric institution. (Article 5 §3)</i>	<u>Individual measures</u> : Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures</u> : The Mental Health Act of 2001 provides for independent and automatic reviews of detention in psychiatric institutions.
ResDH(2003)72	ITA / A.M.	37019/97	14/03/2000 14/12/2000	Access to and effective functioning of justice: <i>Unfair criminal proceedings resulting in the applicant's conviction on the basis of testimony obtained in the US before trial without any possibility for him</i>	<u>Individual measures</u> : Just satisfaction in respect of non-pecuniary damage paid. <u>General measures</u> : Violation due to the specific circumstances of the case. The judgment was published and disseminated to the authorities concerned with a circular stressing the need to

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
				<i>or his representative to challenge the witnesses concerned. (Article 6 §1)</i>	respect the defence rights in the context of the judicial co-operation treaty between Italy and the United States.
ResDH(2003)112	ITA / A.M.M. and 1 other case	34742/97+	28/11/2002 Friendly settlements	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)86	ITA / A.S. No.2 and 42 other cases	43077/98+	22/06/2000 Friendly settlements	<i>Access to and effective functioning of justice: Excessive length of civil proceedings before labour courts. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> See ResDH(97)336, ResDH(99)437 and ResDH(2000)135. Furthermore, new general measures to address the serious problem of excessive length of proceedings are in the process of being drafted and adopted.
ResDH(2003)34	ITA / Amato Del Re and 7 other cases	44968/98+	07/05/2002 Friendly settlements	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)74	ITA / Andreozzi and 12 other cases	54288/00+	28/06/2002 28/03/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before Court of Audit. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. <u>General measures:</u> No information.
ResDH(2003)75	ITA / Aniceto and 12 other cases	54297/00+	28/06/2002 28/03/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before Court of Audit. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. <u>General measures:</u> No information.
ResDH(2003)36	ITA / Barone	30968/96+	04/10/2001	Protection of property: <i>Prolonged lack of</i>	<u>Individual measures:</u> Amounts agreed on in the friendly

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
	and 9 other cases		Friendly settlements	<i>enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	settlements paid. <u>General measures:</u> See Interim Resolution ResDH(2004)72 on the Law of 1998 on “Regulations concerning the <i>renting</i> and the repossession of housing”. Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)82	ITA / Bastreggi and 3 other cases	33966/96+	03/12/2001 Friendly settlements	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> See Interim Resolution ResDH(2004)72 on the Law of 1998 on “Regulations concerning the renting and the repossession of housing”. Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)176	ITA / Biasetti	27253/95	08/10/1999	Protection of rights in detention: <i>Excessive length of detention on remand. (Article 5 §4)</i>	<u>Individual measures:</u> No claim submitted. <u>General measures:</u> Violation due to the failure to observe the deadline or forwarding the file to the appeal court. A law of 1995 provides that if the file is not transmitted or a decision on an application to reopen is not taken within the appointed deadline, the order imposing the applicant’s detention becomes void.
ResDH(2003)17	ITA / Buscemi	29569/95	16/09/1999	Access to and effective functioning of justice: <i>Unfair custody proceedings concerning the applicant’s daughter due to the Youth Court President’s public statements justifying doubts on his impartiality. (Article 6 §1)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction for non-pecuniary damage. The applicant may institute fresh proceedings concerning his child’s custody. <u>General measures:</u> Violation linked to the specific circumstances of the case. The judgment was published, translated and sent to the Supreme Judicial Council and the youth court concerned.
ResDH(2003)113	ITA / C. SRL and 2 other cases	36112/97+	07/11/2002 Friendly settlements	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> See Interim Resolution ResDH(2004)72 on the Law of 1998 on “Regulations concerning the renting and the repossession of housing”. Furthermore, the authorities are envisaging new additional general measures.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)81	ITA / C.M.F. and 2 other cases	38415/97+	18/07/2002 Friendly settlements	Protection of property: Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)	Individual measures: Amounts agreed on in the friendly settlements paid. General measures: See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)114	ITA / Calvagno	41624/98	03/10/2002 Friendly settlement	Protection of property: Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)77	ITA / Calvani and 4 other cases	44365/98	21/02/2001 21/11/2000	Access to and effective functioning of justice: Excessive length of civil proceedings before Court of Audit. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. <u>General measures:</u> No information.
ResDH(2003)73	ITA / Campomizzi and 5 other cases	41829/98+	29/06/2000 08/02/2000	Access to and effective functioning of justice: Excessive length of civil proceedings before Court of Audit. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. <u>General measures:</u> No information.
ResDH(2003)76	ITA / Cardillo and 3 other cases	41833/98	29/06/2000 28/04/2000	Access to and effective functioning of justice: Excessive length of civil proceedings before Court of Audit. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. <u>General measures:</u> No information.
ResDH(2003)78	ITA / Di Deco	44362/98	12/04/2001 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings before Court of Audit. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. <u>General measures:</u> No information.
ResDH(2003)165	ITA / Esposito	20855/92	25/05/2000	Protection of property: Prolonged lack of	<u>Individual measures:</u> Amounts agreed on in the friendly

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
	Luigi		Friendly settlement	<i>enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	settlements paid. <i>General measures:</i> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)35	ITA / F.B. and 8 other cases	32671/96+	21/02/2002 Friendly settlements	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	<i>Individual measures:</i> Amounts agreed on in the friendly settlements paid. <i>General measures:</i> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)115	ITA / Fabbrini	33115/96	25/11/2002 Friendly settlement	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	<i>Individual measures:</i> Amounts agreed on in the friendly settlements paid. <i>General measures:</i> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)79	ITA / Fermi and Others	44401/98	06/11/2001 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before Court of Audit. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid. <i>General measures:</i> No information.
ResDH(2003)167	ITA / Gramiccia	57636/00	06/02/2003 Friendly settlement	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	<i>Individual measures:</i> Amounts agreed on in the friendly settlements paid. <i>General measures:</i> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures, supervised in the context of Immobiliare Saffi.
ResDH(2003)80	ITA / Guazzone	39797/98	11/07/2002 Friendly	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction</i>	<i>Individual measures:</i> Amounts agreed on in the friendly settlements paid.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
			settlement	<i>of tenants. (Article 1 of Protocol No. 1)</i>	<i>General measures:</i> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)84	ITA / M.A.	44814/98	30/11/2000 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceeding brought by haemophiliacs seeking compensation for damages suffered following blood transfusions infected with various viruses such as hepatitis B or C or H.I.V. (Article 6 §1)</i>	<i>Individual measures:</i> Amounts agreed on in the friendly settlements paid. <i>General measures:</i> see Resolutions DH(97)336, DH(99)437 and ResDH(2000)135.
ResDH(2003)85	ITA / Marcotrigiano	44344/98	19/12/2000 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before administrative courts. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <i>General measures:</i> See ResDH(99)436 and ResDH(2000)135. Furthermore, new general measures to address the serious problem of excessive length of proceedings are in the process of being drafted and adopted.
ResDH(2003)164	ITA / Mercuri	47247/99	11/04/2002 Friendly settlement	Access to and effective functioning of justice: <i>Denial of access to the Court of Cassation due to its rejection on formalistic grounds, the applicant's compensation request for detention on remand following acquittal (Article 6 §1)</i>	<i>Individual measures:</i> Global sum all damages included paid as agreed in the friendly settlement. <i>General measures:</i> None.
ResDH(2003)37	ITA / Pittini and 1 other case	37007/97+	18/07/2002 Friendly settlements	Protection of property: <i>Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)</i>	<i>Individual measures:</i> Amounts agreed on in the friendly settlements paid. <i>General measures:</i> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)116	ITA / Pugliese	43986/98	03/10/2002	Protection of property and access to and	<i>Individual measures:</i> Amounts agreed on in the friendly

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
	Rosalba		Friendly settlement	effective functioning of justice: Prolonged lack of enforcement of judicial orders for eviction of tenants and excessive length of eviction proceedings. (Article 1 of Protocol No. 1 and Article 6 §1)	settlements paid. <u>General measures:</u> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures.
ResDH(2003)166	ITA / Quartucci	41232/98	28/03/2002 Friendly settlement	Protection of property: Prolonged lack of enforcement of judicial orders for eviction of tenants. (Article 1 of Protocol No. 1)	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> See Interim Resolution ResDH(2004)72 on the Law of 1998 on "Regulations concerning the renting and the repossession of housing". Furthermore, the authorities are envisaging new additional general measures, supervised in the context of Immobiliare Saffi.
ResDH(2003)83	ITA / Rocchi	44375/98	29/03/2001 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings before Court of Audit. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. <u>General measures:</u> No information.
ResDH(2003)151	ITA / Santandrea	25650/94	03/12/1999	Protection of rights in detention: Unlawfulness of the applicants' detention for approximately 30 hours after the judge competent for the preliminary investigation had ordered their immediate release. (Article 5 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. The applicants were released <u>General measures:</u> The Department of penitentiary administration of the Ministry of Justice, in 1999, addressed a circular to the Directors of Prisons' and to regional inspectors of the penitentiary administration, and recalled that the immediate release of prisoners should permanently be assured, 24 hours a day, every day. To this effect, the circular letter establishes precise and coherent provisions about the procedure to be followed in the prisons. The Commission's Report was disseminated.
ResDH(2003)124	LTV / Podkolzina	46726/99	09/07/2002 09/04/2002	Electoral rights: Infringement due to the striking off the list of candidates for parliamentary elections in 1998 of a citizen belonging to the Russian speaking minority	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> The Law on Election to Parliament was amended in 2002 and the requirements of language proficiency

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
				<i>on the ground of insufficient knowledge of the Latvian language. (Article 3 of Protocol No. 1)</i>	were deleted. Change of case-law of domestic courts called upon to review adequately administrative decisions preventing candidates to run for elections. The judgement was published, translated and disseminated.
ResDH(2003)108	LUX / G.J.	21156/93	26/10/2000	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction in respect of non-pecuniary damage paid. <u>General measures:</u> The judgment was transmitted to the authorities concerned.
ResDH(2003)117	LUX / Matthies-Lenzen	45165/99	05/02/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of criminal proceedings combined with civil action for damages and lack of an effective remedy. (Articles 6 §1 and 13)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> The Law of 1998 on the civil responsibilities of the State and of public authorities offered an effective remedy.
ResDH(2003)89	LUX / Scheele	41761/98	17/08/2001 17/05/2001	Access to and effective functioning of justice: <i>Excessive length of criminal proceedings combined with civil action for damages. (Article 6 §1)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction for non-pecuniary damage. Domestic proceedings were approaching closure in March 2003. <u>General measures:</u> In 2001, a programme for the recruitment of additional judges and other staff was adopted to address the increase in the workload of the courts. The judgment was published and transmitted to the General State Prosecutor.
ResDH(2003)38	NDL / K.K.C.	58964/00	21/12/2001 Friendly settlement	Protection against ill-treatment / expulsion: <i>Risk of ill-treatment of a Russian national of Chechen origin in case of expulsion to Russia. (Article 3 conditional)</i>	<u>Individual measures:</u> The applicant was granted a residence permit without restrictions. <u>General measures:</u> None.
ResDH(2003)168	NLD / Samy	36499/97	18/06/2002 Friendly settlement	Protection of rights in detention: <i>Lack of a speedy review of the applicant's requests for released from an aliens' detention centre pending expulsion. (Article 5 §3)</i>	<u>Individual measures:</u> Global sum for non-pecuniary damage paid as agreed. <u>General measures:</u> None.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)158	POL / Dacewicz	34611/97	02/10/2002 02/07/2002	Protection of rights in detention: Failure to bring the applicant promptly before a judge following his arrest. (Article 5 §3)	Individual measures: The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. General measures: See ResDH(2002)124 in Niedbala, in particular concerning the new Code of Criminal Proceedings of 1998 providing the ordering of detention on remand by a court at the request of a prosecutor.
ResDH(2003)159	POL / Eryk Kawka	33885/96	27/09/2002 27/06/2002	Protection of rights in detention: Failure to bring the applicant promptly before a judge following his arrest. (Article 5 §3)	Individual measures: The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. General measures: See ResDH(2002)124 in Niedbala, in particular concerning the new Code of Criminal Proceedings of 1998 providing the ordering of detention on remand by a court at the request of a prosecutor.
ResDH(2003)39	POL / Kliniecki	31387/96	21/03/2001 21/12/2000 Friendly settlement	Access to and effective functioning of justice: Excessive length of criminal proceedings. (Article 6 §1)	Individual measures: Just satisfaction for pecuniary and non-pecuniary damage paid as agreed in the friendly settlement. General measures: None.
ResDH(2003)169	POL / Palys	51669/99	11/12/2001 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	Individual measures: Global sum for pecuniary and non-pecuniary damage paid as agreed. General measures: None.
ResDH(2003)142	PRT / Agostino	54073/00	03/10/2002 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	Individual measures: Just satisfaction for non-pecuniary damage paid as agreed. General measures: The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)40	PRT / Azevedo Moreira	48959/99	30/05/2002 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	Individual measures: Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. General measures: The judgment was published and disseminated to the authorities concerned. The question how

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
					to conclude proceedings in due time is under further examination.
ResDH(2003)41	PRT / Baptista do Rosario	46772/99	04/04/2002 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)27	PRT / Bento da Mota	42636/98	28/09/2001 28/06/2001	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)42	PRT / Caldeira and Gomes Faria	45648/99	14/02/2002 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)134	PRT / Camera Pestana	47460/99	16/08/2002 16/05/2002	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)43	PRT / Conceicao Fernandes	48960/99	20/12/2001 Friendly settlement	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> The judgment was published and

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
					disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)18	PRT / Conde	37010/97	23/06/2000 23/03/2000	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)19	PRT / Fernandes	47459/99	18/07/2002 18/04/2002	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)20	PRT / Fertiladour SA	36668/97	18/08/2000 18/05/2000	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)23	PRT / Galinho Carvalho Matos	35593/97	23/02/2000 23/11/1999	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. Domestic proceedings closed in 2002. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)26	PRT / Guerreiro	45560/99	30/04/2002 31/01/2002	Access to and effective functioning of justice: Excessive length of civil proceedings. (Article 6 §1)	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
					disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)143	PRT / Logica – Moveis de Oranizacao, Lda	54483/00	19/12/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of criminal proceedings combined with civil action for damages. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)144	PRT / Logotrans-Transportes Internacionais, Tda	50843/99+	03/10/2003 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)25	PRT / Malveiro	45725/99	12/06/2002 14/03/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)137	PRT / Marques Francisco	47833/99	06/09/2002 06/06/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)145	PRT / Marques Jorge Ribeiro	49018/99	04/04/2002 Friendly	Access to and effective functioning of justice: <i>Excessive length of civil</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
			settlement	<i>proceedings. (Article 6 §1)</i>	<i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)135	PRT / Martins and Garcia Alves	37528/97	16/02/2001 16/11/2000	Access to and effective functioning of justice: <i>Excessive length of criminal proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed. <i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)136	PRT / Martins Serra and Adrade Cancio	43999/98	06/03/2002 06/12/2001	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid. <i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)44	PRT / Martos Mellado Ribeiro	47584/99	30/05/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)21	PRT / Nascimento	42918/98	27/12/2001 27/09/2001	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed. Domestic proceedings closed in 2000. <i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)45	PRT / Pereira Palmeira and	52772/99	04/07/2002 Friendly	Access to and effective functioning of justice: <i>Excessive length of civil</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
	Sales Palmeira		settlement	<i>proceedings. (Article 6 §1)</i>	<i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)138	PRT / Pires	43654/98	25/10/2002 25/10/2001	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed. <i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)22	PRT / Rego Chaves Fernandes	46462/99	21/06/2001 21/03/2001	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed. <i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)147	PRT / Sarainva e Lei	54449/00	03/10/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)146	PRT / SIB-Sociedade Imobiliaria da Benedita Lda	49118/99	16/05/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <i>General measures:</i> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)46	PRT /	46143/99	14/02/2002	Access to and effective functioning of	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
	Sociedade Panificadora, Lda		Friendly settlement	<i>justice: Excessive length of civil proceedings. (Article 6 §1)</i>	paid as agreed in the friendly settlement. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)24	PRT / Vaz da Silva Girao	46464/99	21/06/2002 21/03/2002	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)47	PRT / Viana Montenegro Carneiro	48526/99	30/05/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed in the friendly settlement. <u>General measures:</u> The judgment was published and disseminated to the authorities concerned. The question how to conclude proceedings in due time is under further examination.
ResDH(2003)28	SUI / D'Amico Heidi and Salvatore	26452/95	26/06/2001	Access to and effective functioning of justice: <i>Excessive length of civil proceedings before administrative courts. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid as agreed. <u>General measures:</u> None.
ResDH(2003)177	SUI / D.N.	27154/95	29/03/2001	Access to and effective functioning of justice: <i>Unfair proceedings due to the lack of impartiality of the cantonal Administrative Appeals Commission dismissing the applicant's request for release from a psychiatric clinic on the ground that the rapporteur judge had prepared a prior opinion as a psychiatric expert. (Article 6 §1)</i>	<u>Individual measures:</u> Just satisfaction for non-pecuniary damage paid. The applicant may request the reopening of the impugned proceedings. <u>General measures:</u> The practice of the cantonal Administrative Appeals Commission changed: the specialised judge will no longer participate in the deliberations and the decision. The judgment was published and disseminated to all cantonal departments of justice.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)154	SUI / F.R.	37292/97	28/09/2001 28/06/2001	Access to and effective functioning of justice: <i>Infringement of the principle of equality of arms in proceedings before the Federal Insurance Court on the ground that the applicant and certain witnesses had not been heard. (Article 6 §1)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. The applicant may review of the impugned judgment. <u>General measures:</u> The Federal Judiciary Act allows for the appellant to set out his observations in proceedings before the Federal Court. The judgment was published and transmitted to the Federal Insurance Court, the Courts-Martial Appeal Court and the Federal Government.
ResDH(2003)125	SUI / VGT Verein gegen Tierfabriken	24699/94	28/09/2001 28/06/2001	Freedom of expression: <i>Disproportionate interference due to the refusal of the television authority to broadcast the applicant association's advertisement on the industrial rearing of pigs relying on the general prohibition of "political advertising". (Article 10)</i>	<u>Individual measures:</u> The finding of a violation constitutes sufficient just satisfaction for non-pecuniary damage. The applicant association is entitled to request revision of the Federal Court's impugned judgment. <u>General measures:</u> The judgment was published and disseminated.
ResDH(2003)118	SVK / Koncek	41263/98	26/11/2002 Friendly settlement	Access to and effective functioning of justice: <i>Unfairness and excessive length of criminal proceedings before administrative courts concerning the withdrawal of applicant's driving licence for having caused a road accident while drunk. (Article 6 §1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> None.
ResDH(2003)119	SWE / Beck	26978/95	09/01/2001 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of compensation proceedings for an industrial injury before administrative courts. (Article 6 §1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> None.
ResDH(2003)122	SWE / Ervin and Olga de Laczay	30526/96	24/09/2002 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of civil proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> None.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)121	SWE / Jakola	32531/96	06/03/2001 Friendly settlement	Access to and effective functioning of justice: <i>Unfair compensation proceedings for an industrial injury due to the Administrative Court of Appeal's and the Supreme Administrative Court's refusal to hold oral hearings. (Article 6 §1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> None.
ResDH(2003)152	SWE / Lundevall	38629/97	12/02/2003 12/11/2002	Access to and effective functioning of justice: <i>Unfair proceedings on social benefits before the Administrative Court of Appeal due to its refusal to hold a public hearing. (Article 6 §1)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. The applicant may request reopening of the impugned proceedings. <u>General measures:</u> The judgment was published and sent to all relevant judicial authorities.
ResDH(2003)120	SWE / Muonio Saami Village	28222/95	09/01/2001 Friendly settlement	Access to and effective functioning of justice: <i>Unfair proceedings as the applicant village's request to grant permits for herding reindeer had not been examined by an independent tribunal. (Article 6 §1)</i>	<u>Individual measures:</u> Amounts agreed on in the friendly settlements paid. <u>General measures:</u> None.
ResDH(2003)153	SWE / Salomonsson	38978/97	12/02/2003 12/11/2002	Access to and effective functioning of justice: <i>Unfair trial due to the Administrative Court of Appeal's refusal to hold a public hearing in proceedings concerning social security benefits. (Article 6 §1)</i>	<u>Individual measures:</u> The finding of a violation constituted sufficient just satisfaction in respect of non-pecuniary damage. The applicant is entitled to request reopening of the impugned proceedings before the Supreme Administrative Court. <u>General measures:</u> The judgment was published, translated and disseminated.
ResDH(2003)178	TUR / A. and M.K. Atatür and H.S. Pamir	22907/93	29/054/2000	Protection of property: <i>Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)180	TUR / Aktas and Others and 21 other cases	19264/92+	30/04/2001 30/01/2001	Protection of property: Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)65	TUR / Alim Akca and 18 other cases	19640/92+	03/10/2001 03/07/2001	Protection of property: Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)182	TUR / Burhan Bilgin and 8 other cases	20132/92+	20/09/2002 20/06/2002	Protection of property: Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)186	TUR / Calli	26543/95	12/12/2002 Friendly settlement	Protection of property: Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid as agreed in the friendly settlements. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)170	TUR / Cavusoglu	32983/96	06/03/2001 Friendly settlement	Protection against ill-treatment: Alleged ill-treatment of the applicant upon arrest and in police custody. (Article 3)	<i>Individual measures:</i> Global sum for pecuniary and non-pecuniary damage paid as agreed. <i>General measures:</i> None.
ResDH(2003)179	TUR / Denli	68117/01	23/10/2002 23/07/2002	Protection of property: Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)	<i>Individual measures:</i> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <i>General measures:</i> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)181	TUR / Dudu Calkan and 5 others cases	19660/92+	28/06/2002 28/03/2002	Protection of property: Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)	<i>Individual measures:</i> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <i>General measures:</i> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)171	TUR / Eginlioglu	31312/96	20/12/2001 Friendly settlement	Access to and effective functioning of justice: Excessive length of criminal proceedings. (Article 6 §1)	<i>Individual measures:</i> Global sum for pecuniary and non-pecuniary damage paid as agreed. <i>General measures:</i> None.
ResDH(2003)66	TUR / Gülnahar Calkan and 18 other cases	19661/92+	05/09/2001 05/06/2001	Protection of property: Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol	<i>Individual measures:</i> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <i>General measures:</i> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
				No.1)	
ResDH(2003)65	TUR / Halim Akca and 19 other cases	19640/92+	03/07/2001	Protection of property: <i>Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid as agreed in the friendly settlements. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)187	TUR / I.S.	38931/97	28/03/2002 Friendly settlement	Protection of property: <i>Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid as agreed in the friendly settlements. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)188	TUR / Karabiyik and Others and 4 other cases	35050/97+	27/06/2002 Friendly settlements	Protection of property: <i>Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid as agreed in the friendly settlements. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)183	TUR / Mehmet Celebi and 1 other case	20139/92+	10/01/2003 10/10/2002	Protection of property: <i>Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
				<i>the inflation rate. (Article 1 of Protocol No.1)</i>	
ResDH(2003)189	TUR / Özdiler and Bakan and 3 other cases	33322/96+	27/06/2002 Friendly settlements	Protection of property: <i>Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid as agreed in the friendly settlements. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)172	TUR / Tamer	28002/95	09/01/2003 Friendly settlement	Access to and effective functioning of justice: <i>Excessive length of criminal proceedings. (Article 6 §1)</i>	<u>Individual measures:</u> Global sum for pecuniary and non-pecuniary damage paid as agreed. <u>General measures:</u> None.
ResDH(2003)184	TUR / Temur Önel and 4 other cases	30446/96+	23/08/2002 23/05/2002	Protection of property: <i>Disproportionate interference due to the administration's delay in paying additional compensation awarded by the domestic courts for the expropriation and the substantial difference in the default interest rate and the inflation rate. (Article 1 of Protocol No.1)</i>	<u>Individual measures:</u> Just satisfaction in respect of pecuniary and non-pecuniary damage paid. <u>General measures:</u> See ResDH(2001)70 in Aka and ResDH(2001)71 in Akkus.
ResDH(2003)128	UK / Beck, Copp and Bazeley	48535/99+	22/01/2003 22/10/2002	Protection of private and family life: <i>Disproportionate interference due to investigations into the applicants' homosexual orientation and subsequent dismissal from the armed forces in accordance with the respective policy at that time as well as lack of an effective remedy. (Articles 8 and 13)</i>	<u>Individual measures:</u> Just satisfaction for pecuniary (loss of earnings and pensions on an equitable basis) and non-pecuniary damage paid. <u>General measures:</u> See ResDH(2002)34 in Lustig-Pream and ResDH(2002)35 in Smith and Grady, in particular the introduction of the Armed Forces Code of Social Conduct Policy Statement lifting the ban on homosexuals serving in the military.

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
ResDH(2003)9	UK / Devlin	29545/95	30/01/2002 30/10/2001	Access to and effective functioning of justice: <i>Disproportionate restriction of the applicant's access to a court due to his inability to challenge on the merits the Secretary of State's certificate that the refusal of his employment was determined by reasons of national security and public safety. (Article 6 §1)</i>	Individual measures: Just satisfaction for non-pecuniary damage paid as agreed. General measures: See ResDH(2000)49 in Tinnelly, in particular concerning the Northern Ireland Act (Tribunal Procedure Rules) of 1999. The judgment was published and disseminated to the authorities concerned.
ResDH(2003)51	UK / Michael Matthews	40302/98	15/07/2002 Friendly settlement	Discrimination / protection of property: <i>Discriminatory treatment on the ground of sex due to the applicant's lack of entitlement to travel free on public transport before the age of 65 where as women were entitled as from the age of 60. (Article 1 of Protocol No. 1 in conjunction with 14)</i>	Individual measures: Just satisfaction in respect of pecuniary damage paid as agreed on in the friendly settlements. General measures: The Travel Concessions Act amended the Transport Act granting as from 2002 travel concessions to all person over 60 years.
ResDH(2003)10	UK / Mills	35685/97	05/09/2001 05/06/2001	Access to and effective functioning of justice: <i>Unfair criminal proceedings before a court martial due to its failing independence and impartiality. (Article 6 §1)</i>	Individual measures: Just satisfaction in respect of non-pecuniary damage paid. General measures: See ResDH(98)11 in Findlay and (98)12 in Coyne, in particular concerning the amendments in 1997 of the Army Act 1955 and the Air Force Act 1955.
ResDH(2003)129	UK / Perkins and R.	43208/98+	22/01/2003 22/10/2002	Protection of private and family life: <i>Disproportionate interference due to investigations into the applicants' homosexual orientation and subsequent dismissal from the armed forces in accordance with the respective policy at that time as well as lack of an effective remedy. (Articles 8 and 13)</i>	Individual measures: Just satisfaction for pecuniary (loss of earnings and pensions on an equitable basis) and non-pecuniary damage paid. General measures: See ResDH(2002)34 in Lustig-Pream and ResDH(2002)35 in Smith and Grady, in particular the introduction of the Armed Forces Code of Social Conduct Policy Statement lifting the ban on homosexuals serving in the military.
ResDH(2003)148	UK / Rice	65905/01	01/10/2002	Discrimination and protection of property:	Individual measures: The amount agreed on in the friendly

Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
			Friendly settlement	<i>Discriminatory treatment on the ground of sex on the ground that social benefits for widowed parents were only available to women. (Article 14 in conjunction with 1 of Protocol No. 1)</i>	settlement was paid. <i>General measures:</i> See ResDH(2000)81 in Crossland, ResDH(2002)95 in Cornwell and ResDH(2002) in Leary, in particular concerning the amendments to the Welfare Reform and Pensions Act 1999.
ResDH(2003)161	UK / Steel and Others	24838/94	23/09/1998	Freedom of expression and protection of rights in detention: <i>Arrest and detention of peaceful protesters (3 out of 5 applicants) for breach of peace and disproportionate interference with freedom of expression. (Articles 5 §1 and 10)</i>	<i>Individual measures:</i> Just satisfaction in respect of non-pecuniary damage paid. <i>General measures:</i> Violation due to the specific circumstances of the case. The judgment was published and disseminated to the authorities concerned.
ResDH(2003)130	UK / Willis	36042/97+	11/09/2002 11/06/2002	Discrimination and protection of property: <i>Discriminatory treatment on the ground of sex on the ground that social benefits for widowed parents were only available to women. (Article 14 in conjunction with 1 of Protocol No. 1)</i>	<i>Individual measures:</i> Just satisfaction in respect of pecuniary (loss of allowance on an equitable basis) and non-pecuniary damage paid. <i>General measures:</i> See ResDH(2000)81 in Crossland, ResDH(2002)95 in Cornwell and ResDH(2002) in Leary, in particular concerning the amendments to the Welfare Reform and Pensions Act 1999.