

ECHR 252 (2019) 11.07.2019

# Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing five judgments on Tuesday 16 July 2019 and 16 judgments and / or decisions on Thursday 18 July 2019.

Press releases and texts of the judgments and decisions will be available at **10 a.m.** (local time) on the Court's Internet site (<u>www.echr.coe.int</u>)

# Tuesday 16 July 2019

# Júlíus Þór Sigurþórsson v. Iceland (application no. 38797/17)

The applicant, Júlíus Þór Sigurþórsson, is an Icelandic national who was born in 1962 and lives in Kópavogur (Iceland).

The case concerns his conviction for breaching competition law when working in the timber sales department of a hardware company.

In 2014 the police conducted an investigation into price collusion between three hardware companies. During the investigation, they were authorised by the courts to intercept and record telephone calls between the three companies.

The applicant, who was working with one of the companies, was charged with price collusion on the basis of a telephone conversation he had with B., an employee of one of the other companies.

He was acquitted at first-instance after a hearing at which oral testimony was given by the defendants and witnesses. The first-instance court accepted the applicant's testimony that he had not made any kind of agreement with B., finding that it was supported by testimony from a co-accused and one of the witnesses.

In 2016, however, the Supreme Court overturned the acquittal, criticising the manner in which the first-instance court had taken evidence, in particular by allowing the defendants to be present at one another's testimony and failing to differentiate between their status as accused and as witnesses.

It went on to find that the applicant and B. had seriously breached competition law by encouraging one another to keep the prices of hardware items high. The applicant was given a suspended sentence of nine months' imprisonment.

Relying on Article 6 § 1 (right to a fair hearing) of the European Convention on Human Rights, the applicant complains that, after his acquittal at first-instance, he was convicted by the Supreme Court without the defendants or witnesses being reheard.

### Styrmir Þór Bragason v. Iceland (no. 36292/14)

The applicant, Styrmir Þór Bragason, is an Icelandic national who was born in 1970 and lives in Reykjavík. He was the chief executive officer of an investment bank until his dismissal in December 2013, following his conviction for aiding and abetting fraud. The case concerns his complaint about the unfairness of his conviction.

In 2009 the Financial Supervisory Authority instigated an investigation into a private company's purchase of guarantee capital certificates in a savings bank. In 2010 two of the owners of the certificates, namely the savings bank's chairman of the board and its chief executive officer, were indicted for abuse of position because they had granted a loan to the private company to buy shares



in the savings bank, without assessing the company's financial situation. At the same time the applicant, who had acted as an intermediary in the purchase of the certificates, was indicted for aiding and abetting fraud by abuse of position and for money laundering.

The applicant was acquitted at first-instance after a hearing at which oral testimony was given by him, his co-accused and witnesses. The first-instance court found that the applicant had not been aware of how the savings bank had granted the loan to the private company.

In 2013, however, the Supreme Court overturned the acquittal on the count of aiding and abetting fraud by abuse of position. It found that the applicant, given his involvement in the transaction, education and knowledge of financial institutions, should have known that the loan had been unlawful. It based its assessment, among other documents, on transcripts of statements made by the applicant and the witnesses at first instance. The applicant was sentenced to one year's imprisonment.

In the meantime, in 2012, the applicant's co-accused were also found guilty of the charges against them by the Supreme Court and were each sentenced to four and a half years' imprisonment.

Relying on Article 6 § 1 (right to a fair trial) of the European Convention, the applicant complains that, after his acquittal at first-instance, he was convicted by the Supreme Court without the defendants or witnesses being reheard. He also alleges that his rights under Article 2 of Protocol No. 7 (right of appeal in criminal matters) were breached.

## Zhdanov and Others v. Russia (nos. 12200/08, 35949/11, and 58282/12)

The case concerns the refusal to register associations set up to promote and protect the rights of lesbian, gay, bisexual and transgender (LGBT) people in Russia.

The applicants are four Russian nationals, Aleksandr Zhdanov, Nikolay Alekseyev, Kirill Nepomnyashchiy and Aleksandr Naumchik, who were born respectively in 1980, 1977, 1981, and 1982 and three Russian organisations: the Regional Public Association *Rainbow House*, based in Tyumen; the Autonomous Non-Profit Organisation *Movement for Marriage Equality*, based in Moscow; and the Regional Public Sports Movement *Sochi Pride House*, based in Krasnodar (all in Russia). The first two organisations focus their activities on defending LGBT rights, while *Sochi Pride House* was created to develop sport for LGBT people and combat homophobia.

Between 2006 and 2011 all the applicant organisation applied for registration. However, both the registration authorities and the domestic courts subsequently refused their requests because of formal irregularities in their applications and because their aim was to promote LGBT rights. They found in particular that the organisations' aims could "destroy the moral values of society", lead to a decrease in the population, interfere with the rights of the majority of Russians who found any display of same-sex relations offensive and cause social or religious enmity.

Rainbow House submitted its first application for registration in 2006, which was rejected by the authorities both on grounds related to its aims as well as irregularities with a lease and payment of registration fees. It resubmitted an application in 2007, having corrected the technical errors, but was then told that it had failed to staple the application form and had made a typing error. During the judicial review, the courts did not rely on any further procedural irregularities, concluding that there were indications of "extremism" in its articles of association.

Movement for Marriage Equality and Sochi Pride House were also reproached for procedural errors in their applications, such as using foreign words in their names. However, the courts upheld the authorities' refusal to register Movement for Marriage Equality in 2010 essentially on the basis that promoting legalisation of same-sex marriage was incompatible with "established morality", State policy and national law, while they dismissed Sochi Pride House's appeal against the first-instance decision in its case in 2012 as lodged out of time.

Relying on Article 11 (freedom of assembly and association) and Article 14 (prohibition of discrimination), the applicants allege that the refusal to register the applicant organisations breached their freedom of association and was discriminatory.

The applicants in application no. 58282/12, which included *Sochi Pride House*, also complain about the refusal to examine their appeal on the merits, in breach of Article 6 § 1 (access to court).

### Avyidi v. Turkey (no. 22479/05)

The applicant, Yorgi Avyidi, is a Turkish national who was born in 1922 and lives in Çanakkale (Turkey).

The case concerns a dispute over the ownership of real estate.

In 1998 during a review of land registration on the Island of Gökçeada, plots 17, 18 and 20 of area 122 were registered as the property of the Treasury.

In 2001, seeking to be recognised as owner of plots 17 and 20, together with part of plot 18, Mr Avyidi brought various proceedings against the Treasury and a private person who had acquired ownership of plot 18. He presented two title deeds which had been registered at the land registry in March 1954.

In 2004 the Court of Cassation dismissed appeals by Mr Avyidi. That court found, first, that it had not been possible to establish with certainty that the title deed presented by Mr Avyidi corresponded to the property claimed. Secondly, as to the possibility of acquisition by adverse possession, the court took the view that the conditions were not satisfied, noting that Mr Avyidi had discontinued cultivation of the land in 1974, that he had not continued to occupy the property, and that such a situation was tantamount to the voluntary abandonment of a possession.

Relying on Article 1 of Protocol No. 1 (protection of property), Mr Avyidi complains that he has lost his ownership of the land in question.

#### Zülküf Murat Kahraman v. Turkey (no. 65808/10)

The applicant, Zülküf Murat Kahraman, is a Turkish national who was born in 1984 and lives in Ankara.

The case concerns his conviction for participating in a demonstration held in Gaziantep in 2008 to protest about the conditions of detention and alleged ill-treatment of Abdullah Öcalan, the leader of the PKK, an illegal armed organisation.

Mr Kahraman was convicted in 2009 of being a member of the PKK and disseminating propaganda in support of the organisation. He was sentenced to more than seven years' imprisonment in total. The first-instance court based its decision on photographs taken during the demonstration of a man with his face partially covered, which it considered to be the applicant, and a police report stating that he had participated in the protest, chanting slogans and throwing stones at the police. This ruling was upheld on appeal in 2010.

He started to serve his sentence in 2009 but was released in 2012 under new legislation deferring enforcement of sentences in certain cases concerning crimes committed through the press and media.

His conviction for being a member of the PKK was quashed in 2013. He was acquitted of other charges related to the demonstration, namely obstructing the security forces, in 2014.

Mr Kahraman alleges that his conviction for participating in the demonstration was unjustified and that the sentences imposed on him were disproportionate. The Court will examine this complaint under Article 11 (freedom of assembly and association).

# Thursday 18 July 2019

#### Bouhamla v. France (no. 31798/16)

The applicant, Yacine Bouhamla, is a French national who was born in 1967 and lives in Paris (France). Being married and the father of three children, born in 2009, 2013 and 2015, he is in receipt of the disabled adult's allowance. The case concerns the enforcement of a judicial decision to allocate housing.

From 2007 until 31 January 2017, Mr Bouhamla lived with his family in his brother-in-law's flat of 28 sq.m. On 7 March 2014 he filed a complaint with the Paris mediation board seeking an offer of rehousing. In a decision of 13 June 2014 the board acknowledged that his was a priority case and stated that he should be rehoused urgently in a dwelling commensurate with his needs and capacities. The decision was transmitted to the prefect of Paris.

On 23 December 2014, stating that he had not received any offer of rehousing within the statutory period of six months from the board's decision, he asked the Paris Administrative Court to order the State to allocate him housing. On 3 March 2015 the Paris Administrative Court granted his request, ordering the prefect to rehouse the applicant and his family. It was not until 26 January 2017 that the social housing company EFIDIS found him a place to live, under a lease taking effect on 31 January 2017.

Relying on Article 6 § 1 (right to a fair trial) and Article 13 (right to an effective remedy), the applicant complains about the prolonged failure to enforce the final judgment of 3 March 2015 ordering the prefect to rehouse him and his family.

### Gogaladze v. Georgia (no. 8971/10)

The applicant, Nodar Gogaladze, is a Georgian national who was born in 1986 and lives in the village of Rveli (Georgia).

The case concerns the applicant's complaint of police ill-treatment after his arrest and of the lack of an effective investigation, which lasted eight years before being closed by the authorities.

Mr Gogaladze was arrested by Borjomi police on 13 February 2008 for the attempted rape of a minor. He was questioned as a suspect the same day and then as an accused the following day. He denied coercion but admitted some aspects of sexual contact with the minor.

He was transferred to Tbilisi Prison No. 5 on 15 February 2008 for two months of pre-trial detention. On arrival he was found to have a bump on his head and red skin on his nose. He initially stated that he had no complaints about his treatment by the police, but in April 2008, after being transferred to Tbilisi Prison No. 8, he told a prosecutor that he had been physically and verbally assaulted at the police station, with five police officers hitting him on the head.

The authorities opened an investigation, carrying out various measures. The police officers alleged that Mr Gogaladze had been beaten by the uncle of the victim of the alleged rape, but also noted that they had not noticed the injuries complained of at the time of his arrest.

A forensic medical examination was ordered in October 2008, which was carried out based on his medical records. A second forensic examination took place in February and March 2009 but the experts who carried it out could not establish a link between the applicant's injuries and headaches and nausea he had complained of at the time.

The investigation was closed by a prosecutor in January 2016 on the grounds of the absence of a crime. The applicant has apparently not used his right to appeal against that decision to a more senior prosecutor.

Relying on Article 3 (prohibition of inhuman or degrading treatment), Mr Gogaladze complains of being ill-treated by the police and of the lack of an effective investigation. He also raises a complaint under Article 13 (right to an effective remedy).

#### Rustavi 2 Broadcasting Company Ltd and Others v. Georgia (no. 16812/17)

The applicants are Rustavi 2 Broadcasting Company Ltd, a privately-owned television channel in Georgia; and its current owners, TV Company Sakartvelo Ltd and Levan and Giorgi Karamanishvili, two brothers who are Georgian nationals living in Tbilisi. There were numerous transfers of Rustavi 2 shares from one private party to another from 1996, when the television channel was founded, until 2011, when the second to fourth applicants took over.

The case concerns an ownership row over the first applicant, Rustavi 2.

The dispute led to a ruling in March 2017 by the Supreme Court of Georgia finding that a former owner of Rustavi 2 had been coerced into giving up the television channel and that the current owners, the second to fourth applicants in the case, were not therefore bona fide third-party acquirers.

Pending that decision, Rustavi 2's corporate assets and all of the owners' shares in the company were frozen.

Throughout the proceedings, the applicants made a series of unsuccessful recusal requests, complaining that judges examining their case lacked independence and impartiality. The Supreme Court found in particular that those judges had been right not to withdraw from the case. It referred to various public interviews by Rustavi 2's Director General between September 2015 and March 2017, finding that he had made unacceptable insults against the judges of the first and appellate instances and had even confirmed that he had intentionally attacked Judge T.U. to provoke his recusal.

According to the applicants, the proceedings against them were a disguised attempt to silence Rustavi 2, an independent television channel, and were part of a wider orchestrated campaign against them from 2012 when the new ruling party, the Georgian Dream Coalition, came into power.

The Government contest the applicants' allegations, arguing that the way in which they presented the incidents was deliberately misleading, incomplete or unrelated to the dispute before the European Court of Human Rights.

Following the decision by the Supreme Court, Rustavi 2 requested that the European Court grant an interim measure under Rule 39 of its Rules of Court, based on fears of irreparable harm to the television channel's rights under Article 10 (freedom of expression). The Court granted the interim measure, indicating to the Georgian Government that the enforcement of the decision of March 2017 should be suspended, and that the authorities should abstain from interfering with the applicant company's editorial policy. The Court subsequently decided to apply that measure until further notice.

The applicants bring a number of complaints about the injunction and main proceedings concerning the ownership dispute over Rustavi 2, alleging that they interfered with their rights under Article 6 § 1 (right to a fair trial), Article 10 (freedom of expression), Article 18 (limitation on use of restrictions on rights), and Article 1 of Protocol No. 1 (protection of property).

They all complain that those proceedings were not fair because the judges examining their case lacked independence and impartiality and were a disguised attempt to silence the only independent television channel in the country.

Rusatvi 2's complaints focus on the injunction proceedings, while its owners specifically allege unfairness in the main proceedings because of an unwarranted change in the judicial approach to

the examination of the ownership dispute by the Supreme Court and because the reasons given by that court in its decision of March 2017 was insufficient and/or arbitrary.

### Vazagashvili and Shanava v. Georgia (no. 50375/07)

The applicants, Yuri Vazagashvili and Tsiala Shanava, Georgian nationals, were both born in 1953. Mr Vazagashvili was murdered in 2015. Ms Shanava lives in Tbilisi and has continued the application in her own name and that of her late husband.

The case concerns the shooting of the applicants' son in a police operation and their complaint of the lack of an effective investigation.

The applicants' son, Z.V., 22 at the time, and his friend, A.Kh., 25, were shot by police while Z.V. was driving his car in May 2006. The police operation involved at least 50 officers, including senior officials from the criminal police unit of the Ministry of the Interior and masked officers of a riot-police unit. They were armed with machine guns and more than 70 bullets were shot by them at Z.V.'s car, with some 40 bullets hitting their target. Another man, B.P., 22, was seriously injured but survived.

The police initially stated that Z.V. and his friends had been intercepted on their way to carry out a robbery but an investigation into excessive use of force was opened three days after the incident. The applicants complained regularly to the Tbilisi city prosecutor that the investigation was not being conducted thoroughly and impartially. In April 2007 the prosecution authority, based mainly on statements by officers who had taken part in the operation and ballistics tests, discontinued the investigation for want of a criminal offence.

The applicants gathered their own evidence, talking with a former Interior Ministry official, the injured man, B.P., and independent eyewitnesses, who contradicted the police's version of events. The applicants asked the Chief Public Prosecutor to reopen the investigation, which he did by an order issued in December 2012. The applicants were not granted victim status in that process.

In October 2015 the Tbilisi City Court convicted five former senior officers of the Ministry of the Interior, including I.P., the ex-deputy head of the criminal police unit, of either aggravated murder, perverting the course of justice in a criminal case by fabrication of evidence, malfeasance by a public official or false arrest.

In particular, the court found that I.P. had had a personal grudge against A.Kh. and had organised a police operation to take his revenge. The police had fabricated evidence, such as the allegation that shots had been fired from the victims' car, which was why the police had opened fire themselves. Other officers of the criminal police unit had been involved. In particular, G.Ts. had approached the victims' car and had fired two shots into the heads of Z.V. and A.Kh., which had killed them.

In January 2015 the first applicant was killed in an explosion caused by an improvised device planted at his son's grave, which he was visiting at the time. In November 2015 the Tbilisi City Court convicted a policeman, G.S., of the crime. The court established that the first applicant's non-governmental organisation, Save a Life, formed to highlight criminal activity by the police, had published an article in a national newspaper with a list of officers believed to have been implicated in various criminal offences. G.S. had figured at the end of the list.

The applicants complain in particular under both the substantive and procedural limbs of Article 2 (right to life) about the killing of their son by the police in May 2006 and of the absence of an adequate investigation into that crime.

#### Zu Guttenberg v. Germany (no. 14047/16)

The applicant, Karl-Theodor zu Guttenberg, is a German national who was born in 1971 and lives in Guttenberg (Germany). The case concerns the publication in the German press of photos of his

residences in Germany and in the USA.

A politician, Karl-Theodor zu Guttenberg was, among other capacities, Federal Minister for the Economy and Technology and Federal Defence Minister. In 2011, following a case of plagiarism, he resigned from his office and gave up his seat in parliament. In the summer of 2011 he moved with his family to the USA.

On 17 April 2014 the weekly magazine Bunte published an article concerning his houses in Berlin and in the USA. On 22 April 2014 Karl-Theodor zu Guttenberg and his wife asked the magazine to stop publishing these photos with captions, but the magazine refused. The couple then referred the matter to the Cologne Regional Court. In an interlocutory order of 15 May 2004, the court prohibited any further publication of all the photos, with captions, showing the houses in question. On 14 July 2014 the magazine acknowledged the injunction on publication with the exception of three photos showing the outside of houses together with the corresponding captions. On 14 January 2015 the Regional Court confirmed its order in respect of the three photos, finding that there was no overriding public interest in seeing them. On 2 July 2015 the Cologne Court of Appeal quashed the judgment, while confirming that the publication of the photos constituted an interference with the applicant's right to the protection of his personality rights, in particular in the private sphere. The Court of Appeal found that the interest in publishing the report lay not only in satisfying the public's curiosity about the circumstances, including the financial situation, of Karl-Theodor zu Guttenberg and his wife, but that it was justified also in relation to the question of his possible return to politics, in particular following his public appearances in 2014. The Federal Constitutional Court decided not to allow an appeal by Karl-Theodor zu Guttenberg, without giving reasons for its decision.

Relying on Article 8 (right to respect for private and family life), the applicant complains of a refusal by the German courts to prohibit any fresh publication of the impugned photos.

#### Chatzigiannakou v. Greece (no. 58774/12)

The applicant, Maria-Aggeliki Chatzigiannakou, is a Greek national who was born in 1982 and lives in Uppsala (Sweden).

The case concerns the failure to enforce a decision ordering the demolition of part of a building that was found to be dangerous on account of its non-compliance with anti-seismic regulations.

Relying on Article 1 of Protocol No. 1 (protection of property), Ms Chatzigiannakou, who is the owner of a house situated near the building in question, complains of the failure by the planning authorities to enforce their own decisions ordering the building under construction to be brought into conformity with anti-seismic norms, failing which the dangerous parts were to be demolished. She argues that the collapse of the building in the event of an earthquake might entail the destruction of her own house.

#### T.I. and Others v. Greece (no. 40311/10)

The three applicants are Russian nationals, who were born in 1978, 1979 and 1981. They arrived in Greece in 2003 after obtaining visas through the Consulate General of Greece in Moscow.

In this case, the applicants claim that they were victims of human trafficking. In particular, they allege that they were forced to work as prostitutes by prostitution networks.

Relying on Articles 4 (prohibition of slavery and forced labour), 6 (right to a fair hearing) and 13 (right to an effective remedy), the applicants complain of a failure by the Greek authorities to fulfil their obligations to prevent and punish acts concerning human trafficking. They further complain of inadequacies and shortcomings in the investigation and judicial proceedings concerning the facts at issue.

### R.V. and Others v. Italy (no. 37748/13)

The applicants are R.V., a dual French and Italian national, and her two sons, D. and T., Italian nationals, born in 2002 and 2004. They live in Italy.

The case concerns child care measures in respect of D. and T. that were kept in force for over ten years.

R.V. married S.M. and they had two sons: D. and T. In September 2005 S.M. and R. V.'s mother went to the local health authority's family advice and support centre, expressing concern about R.V.'s recent behaviour and saying that she did not take adequate care of her children. Following an application by the public prosecutor, in November 2005 the Youth Court temporarily placed the children in the care of the local authorities.

R.V. and S.M. then decided to legally separate. In a hearing before the courts, R.V. asked for the children to be placed with her and stated that she was prepared to be supervised by social services. At the judge's request, the social services assessed which would be the most appropriate solution for the children's care. They advised temporarily placing R.V. and the children in a supervised residential unit (comunità), which is where they moved in December 2005.

They were placed with their paternal grandmother in 2006. However, in April 2007, a court-appointed psychologist issued a report finding that the children were experiencing psychological harm and that there was nobody in the children's close family with adequate resources for an appropriate placement. The expert recommended that they be placed with a foster family without delay, and that all contact with the parents be supervised. The domestic courts immediately issued a decision, ordering the suspension of all contact between the parents and the children. In August 2007 the children were placed with a foster family. In December 2011, the Youth Court confirmed the children's placement with that family, referring to the findings of the court-appointed expert in 2007.

R.V. contested the care measures with the domestic courts, in 2008 and 2014.

Relying on Article 8 (right to respect for private and family life), the applicants allege that the child care measures and their implementation violated their rights.

Larrañaga Arando and Others v. Spain (nos. 73911/16, 233/17, 3086/17, and 5155/17) Martinez Agirre and Others v. Spain (nos. 75529/16 and 79503/16)

The applicants in these two cases are ten Spanish nationals, three of whom live in Bilbao, two in San Sebastian and Urretxu, and one each in Ascain (France), Olazagutia and Zestoa.

Both cases concern the applicants' complaints about being refused State compensation for the killing of their relatives by terrorist groups.

According to official reports the applicants' relatives were all members of the ETA terrorist organisation. According to reports from the Ministry of the Interior, the relatives were in turn killed between 1979 and 1985 by various terrorist groups while they were living in France. As families of the victims of terrorism, most of the applicants were paid compensation under a Spanish law of 1999, while one was also granted a special lifetime allowance under a royal decree.

The applicants applied for further compensation in 2012 under a new 2011 law on compensating the victims of terrorism. However, the authorities declined to pay a further amount, citing a provision of the 2011 law and the European Convention on the Compensation of Victims of Violent Crimes, which allowed them to refuse compensation for the killing of people who had themselves been involved in terrorism.

The authorities' decisions were upheld by the *Audiencia Nacional* (Administrative Chamber), which found that Article 8 § 2 of the European Convention on the Compensation of Victims of Violent

Crimes, in force in Spain since 2002, allowed the State to reduce or refuse compensation on account of a victim's involvement in organised crime or membership of an organisation which engaged in crimes of violence.

The court cited police reports as evidence of the applicants' relatives' membership of ETA.

The applicants complain that the domestic authorities refused them compensation for reasons which had breached their relatives' right to the presumption of innocence as they were found to have been members of ETA, which was a criminal offence under Spanish law. They rely on Article 6 § 2 of the European Convention (presumption of innocence).

### Glaisen v. Switzerland (no. 40477/13)

The applicant, Marc Glaisen, is a Swiss national who was born in 1966 and lives in Geneva (Switzerland). He has been paraplegic since 1987. The case concerns alleged discrimination on account of his inability to gain access to a cinema.

On 4 October 2008 Mr Glaisen went on his own to the Pathé Rialto cinema in Geneva to see a film which was not being shown in any other cinema in the city. As the building housing the cinema was not adapted to wheelchair users, the applicant was refused access. The operating company relied on internal safety instructions, turning him away before he could even buy a ticket.

On 28 September 2009, arguing that he was the victim of discrimination, Mr Glaisen brought proceedings against that company. His appeals were rejected by the Court of First Instance of the Canton of Geneva on 15 September 2011, then by the Civil Division of the Court of Justice and lastly by the Federal Court.

Relying in particular on Articles 14 (prohibition of discrimination) and 8 (right to respect for private and family life), the applicant complains that the refusal of access on account of his disability has not been characterised as discrimination by the Swiss courts.

The Court will give its rulings in writing on the following cases, some of which concern issues which have already been submitted to the Court, including excessive length of proceedings.

These rulings can be consulted from the day of their delivery on the Court's online database <u>HUDOC</u>.

They will not appear in the press release issued on that day.

# Thursday 18 July 2019

Name	Main application number
Bley v. Germany	68475/10
West v. Hungary	5380/12
Badullah v. the Netherlands	54892/16
Nevé v. the Netherlands	59133/16
Chenchevik v. Ukraine	56920/10

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