

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME



SECOND SECTION

ANNUAL ACTIVITY REPORT 2004

January 2005

CONTENTS

	Page
I. Introduction.....	1
II. Composition of the Section.....	2
III. Hearings.....	3
IV. Cases relinquished to the Grand Chamber.....	3
V. Other cases of interest	4
VI. Rule 39 (interim measures) and Rule 41 (priority) requests.....	9
VII. Third-party intervention (Article 36 and Rule 61).....	13
VIII. Statistical information.....	14

I. INTRODUCTION

In 2004, the Section held 39 Chamber sessions (32 in the framework of the former Section and seven in the framework of the new Section). Oral hearings were scheduled in two cases, one of which was cancelled as the parties were about to reach a friendly settlement. The first phase of a fact-finding mission scheduled in 2003 to Georgia and Russia took place in February 2004 in Tbilisi (Georgia). However, the delegation was obliged by circumstances to cancel the related mission to Russia. The Section delivered 195 judgments, of which 177 concerned the merits, 11 concerned friendly settlements, two were strike-out judgments and five dealt with just satisfaction or revision. The Section applied Article 29 § 3 of the Convention (combined examination of admissibility and merits) in 406 cases and 103 judgments were delivered under this procedure.

Of the cases examined by a Chamber

- (a) 201 applications were declared admissible;
- (b) 95 applications were declared inadmissible;
- (c) 52 applications were struck out of the list; and
- (d) 555 applications were communicated to the State concerned for observations of which 429 were communicated by the President.

In addition, the Section held 91 Committee sessions. 5,401 applications were declared inadmissible and 63 applications were struck out of the list. The total number of applications rejected by a Committee represented 97.38 % of the inadmissibility and strike-out decisions adopted by the Section during the year.

At the end of the year, 14,627 applications were pending before the Section.

II. COMPOSITION OF THE SECTION

From 1 January until 31 October 2004 the Section was composed as follows:

Jean-Paul **Costa** (French), *President*,
András **Baka** (Hungarian), *Vice-President*,
Luzius **Wildhaber** (Swiss),
Gaukur **Jörundsson**¹ (Icelandic),
Loukis **Loucaides** (Cypriot),
Corneliu **Bîrsan** (Romanian),
Karel **Jungwiert** (Czech),
Volodymyr **Butkevych** (Ukrainian),
Wilhelmina **Thomassen** (Dutch),
Mindia **Ugrekheldze** (Georgian),
Antonella **Mularoni** (San Marinese), *Judges*,

Sally **Dollé**, *Registrar*,
Lawrence **Early**, *Deputy Registrar*.

The Section was recomposed as from 1 November 2004 (Rule 25 of the Rules of Court). As from 1 November 2004 the Section was composed as follows²:

Jean-Paul **Costa** (French), *President*,
András **Baka** (Hungarian), *Vice-President*,
Ireneu **Cabral Barreto** (Portuguese),
Riza **Türmen** (Turkish),
Karel **Jungwiert** (Czech),
Volodymyr **Butkevych** (Ukrainian),
Mindia **Ugrekheldze** (Georgian),
Antonella **Mularoni** (San Marinese),
Elisabet **Fura-Sandström** (Swedish),
Danutė **Jočienė** (Lithuanian), *Judges*,

Sally **Dollé**, *Registrar*,
Lawrence **Early**³, *Deputy Registrar*

¹ Died in office in September 2004.

² The judge elected in respect of Serbia and Montenegro will sit in the new Second Section.

³ Replaced, following his appointment as Deputy Grand Chamber Registrar, by Stanley Naismith as from December 2004.

III. HEARINGS

A hearing was held in the following case:

Blücher v. the Czech Republic, no. 58580/00

The case concerned the applicant's attempts to secure the restitution of property in the Czech Republic of property which had belonged to the Blücher von Wahlstatt family. According to the applicant, the domestic proceedings which he initiated to this end suffered from several defects in that the different courts dealing with the case adopted contradictory views on the issues before them or accorded varying degrees of weight to particular aspects of the case. The applicant essentially complains that the domestic proceedings were unfair.

– Article 6 § 1 of the Convention

The case was declared admissible on 24 August 2004. A hearing on the merits was held on 19 October 2004. (Judgment was delivered on 11 January 2005.)

IV. CASES RELINQUISHED TO THE GRAND CHAMBER

The Section decided to relinquish to the Grand Chamber the following similar cases:

Maurice and others v. France, no. 11810/03, and Draon and others v. France, no. 1513/03

The cases concern the impact of a retroactive change in the law governing the amount of compensation which can be recovered by the applicants. The applicants are parents of children born with a handicap which went undetected during pregnancy as a result of an error in diagnosis and had cases pending before the domestic courts when the law was changed. The cases raise issues under Articles 6, 8 and 14 of the Convention and Article 1 of Protocol No. 1.

The cases were declared admissible on 6 July 2004 and a Grand Chamber hearing is scheduled for 25 March 2005.

V. OTHER CASES OF INTEREST

Of the judgments delivered and decisions adopted by the Section this year, the most interesting included the following:

(1) Kyprianou v. Cyprus, no. 73797/01

The applicant, a defence lawyer, was held to be in contempt of court by the same judges before whom the contempt had been committed. He was sentenced to 5 days' imprisonment.

– Articles 6 and 10

Judgment of 27 January 2004 – violation of Article 6 §§ 1, 2 and 3 a) and no separate issue under Article 10. The case is now pending before the Grand Chamber.

(2) Depiets v. France, no. 53971/00

Following the institution of criminal proceedings against the applicant, the Indictment Division committed him for trial in the Assize Court. The applicant appealed on points of law against that decision. The Criminal Division of the Court of Cassation dismissed the appeal. The Assize Court sentenced the applicant to nineteen years' imprisonment and stripped him of certain rights. The applicant appealed on points of law, but the Criminal Division of the Court of Cassation dismissed the appeal. Two of the judges sitting in the Division had taken part in the examination of his previous appeal. The applicant complained in the Convention proceedings that the Criminal Division had not been impartial.

– Article 6 § 1

Judgment of 10 February 2004 – no violation.

(3) Radio France v. France, no. 53984/00

The case concerned defamation proceedings brought against the applicants (a public service broadcasting company, its director of news and a journalist) by a former senior civil servant in connection with the live and repeated broadcasts of a news item on the role that the latter had allegedly played in the administration of internment camps in France during the Second World War. The editorial director and the journalist were ordered to pay a fine of FRF 20,000 each and FRF 50,000 in damages. An order was also made requiring the broadcasting of a communiqué informing the public of the conviction. The Court of Cassation dismissed the applicants' appeal on points of law.

– Articles 7 § 1, 6 §§ 1 and 2, and 10

Judgment of 30 March 2004 – no violation.

**(4) Morsink v. the Netherlands, no. 48865/99
Brand v. the Netherlands, no. 49902/99**

The applicants were convicted of assault and sentenced to imprisonment. In addition, the court ordered their confinement in a custodial clinic after they had served their terms of imprisonment. However, having served their sentences the applicants could not be transferred to a custodial clinic for logistical reasons and had to remain in transitory detention in an ordinary remand centre pending the availability of places in a suitable custodial clinic.

– Article 5 § 1

A hearing on admissibility and merits of the case was held on 21 October 2003.

Judgment of 11 May 2004 – violation.

(5) Société Plon v. France, no. 58148/00

The applicant, a publishing company, complained that its right to freedom of expression had been violated on account of a prohibition imposed on the distribution of a book (“*Le Grand Secret*”) which dealt with the cancer suffered by President Mitterrand from the beginning of his first term of office and about which the public was not officially informed until much later. The book described the relations between President Mitterrand and his doctor and was published about ten days after the President’s death. The ban on distribution was sought by the President’s widow and children. In a judgment of October 1996 on the merits of the case, the Paris *tribunal de grande instance* maintained the ban on distribution of the book and ordered the doctor and the applicant company and its legal representative jointly to pay damages to the President’s widow and children. The decision was upheld on appeal.

– Article 10

Judgment of 18 May 2004 – violation of Article 10.

**(6) Pini and Bertrani v. Romania, no. 78028/01
Manera and Atripaldi v. Romania, no. 78030/01**

The cases concerned the failure of the authorities of the respondent State to execute final judgments given by the Romanian courts in favour of the applicants (Italian couples) whereby the applicants had been authorised to adopt young Romanian children. The residential home where the children were staying repeatedly challenged the execution of the decisions and, after its objections had been dismissed, attempted enforcement by bailiffs failed. In the course of 2002 and 2003, the residential home obtained stays of execution of the adoption orders. The applicants made various unsuccessful applications to enforce the adoption orders. At the same time, the residential home applied to have the adoption orders for the minors set aside.

– Articles 6 § 1 and 8 and Article 2 of Protocol No. 4

Judgment of 22 June 2004 – violation of Article 6 (non-enforcement) and no violation of Article 8 or Article 2 of Protocol No. 4.

(7) Aziz v. Cyprus, no. 69949/01

The applicant, a Cypriot of Turkish origin, requested to be registered on the electoral roll so as to enable him to vote. He was refused on the ground that he could not be registered on the Greek-Cypriot roll. The Turkish-Cypriot electoral roll had fallen into abeyance after the dissolution of the communal chambers in the 1960s and the constitutional provisions regulating the voting rights of both communities had become impossible to implement in practice. The Supreme Court dismissed the applicant's appeal, holding that, under the Cypriot Constitution and relevant electoral legislation, members of the Turkish Community residing in the Republic of Cyprus could not vote in parliamentary elections and that it could not intervene to fill the legislative gap which existed in this respect.

– Article 3 of Protocol No. 1 and Article 14

Judgment of 22 June 2004 – violation of Article 3 of Protocol No. 1 and of Article 14.

(8) Chauvy and others v. France, no. 64915/01

The case had its origin in a private prosecution for defamation brought by Raymond Aubrac and his wife against the applicants, an author and his publisher, following the publication of a book dealing with possible “myths” relating to the French Resistance movement during the Second World War. The book, which drew on the so-called “Barbie testament”, dealt in particular with the circumstances surrounding the betrayal and execution of Jean Moulin and insinuated that the Aubracs may have been involved in the betrayal. The applicants were fined and ordered to pay damages to the Aubracs.

– Article 10

Judgment of 29 June 2004 – no violation.

(9) Nikitin v. Russia, no. 50178/99

The applicant, a former Russian naval officer, was tried for treason, but was eventually acquitted on appeal by the Supreme Court. Subsequently, the prosecutor general sought supervisory review of the Supreme Court's decision to acquit the applicant on the ground, *inter alia*, that the law on official secrecy had been misapplied and that there had been defects in the investigation. The request for supervisory review was refused and the applicant's acquittal upheld.

– Article 4 of Protocol No. 7 (*non bis in idem*) and Article 6 of the Convention

Judgment of 20 July 2004 – no violation.

(10) Sidabras and Dziautas v. Lithuania, nos. 55480/00 and 59330/00

The applicants, public servants, were dismissed from their jobs in 1999 on account of their KGB-activities in Lithuania prior to its gaining independence in 1991. The security-vetting legislation under which they were dismissed entered into force in 1999. The applicants, who had held their posts since 1991, were also subjected to long-term restrictions as regards their future employment, including in many private-sector spheres.

– Articles 8 and 10 combined with Article 14

Judgment of 27 July 2004 – violation of Article 14 taken in conjunction with Article 8; Article 10 not applicable and therefore no violation of that Article either alone or taken in conjunction with Article 14.

(11) Kjartan Ásmundsson v. Iceland, no. 60669/00

The applicant sustained a serious work accident on board a trawler. His disability was assessed at 100%, which made him eligible for a disability pension from the Seamen's Pension Fund. The assessment was made under an Act which entitled any member of the Fund to a pension in the event of suffering a loss of working capacity of 35% or more in relation to the job being carried out at the time of the accident. The applicant found employment in office work after the accident and earned some income from it, in addition to receiving his pension. However, subsequent legislative amendments introduced to the aforementioned Act resulted in a fresh assessment of the applicant's disability based on his capacity for work in general (and not his capacity to perform the same work). The new assessment concluded that his disability did not reach the minimum level of 35%, and, in 1997, the Pension Fund stopped paying him the disability pension and relevant child benefits which he had been receiving for nearly 20 years.

– Article 1 of Protocol No. 1
Judgment of 12 October 2004 – violation.

(12) Melnychenko v. Ukraine, no. 17707/02

The applicant, a Ukrainian national who had been granted refugee status in the USA and lives there, applied to be registered as a candidate in parliamentary elections in Ukraine. The applicant had been nominated as a Socialist Party parliamentary candidate for the elections. A requirement for candidacy was residence in the Ukraine for five years. In his application for registration as a candidate the applicant gave his *propiska* address in Ukraine as his place of residence for the previous five years. Registration was rejected on the grounds that the applicant had submitted false information about his place of residence and that he had not been resident in the Ukraine during the full five years.

– Article 3 of Protocol No. 1
Judgment of 19 October 2004 – violation.

(13) Issa and others v. Turkey, no. 31821/96

The applicants alleged that during an operation of the Turkish army in the hills surrounding their village in northern Iraq in April 1995, whilst they were out shepherding, they came across Turkish soldiers who ill-treated them and took their husbands away. The bodies of the applicants' relatives were found some days later with bullet wounds and mutilated. The applicants filed several petitions with the authorities of the region requesting an investigation, but to date have not been informed of any follow-up. The Government admitted that a military operation took place in northern Iraq in March-April 1995, but disputed that their forces were present in the area indicated by the applicants or that a complaint had been made to their forces. However, the applicants maintained that their deceased relatives came within the jurisdiction of Turkey at the material time.

– Articles 2, 3, 5, 8, 13, 14 and 18

Judgment of 16 November 2004 – no violation. The Court found that the applicants' relatives had not been within the "jurisdiction" of Turkey for the purposes of Article 1 of the Convention, and it was not therefore necessary to examine their complaints.

(14) D.H. and others v. the Czech Republic, no. 57325/00

The applicants, of Roma origin and Czech citizens, complain that their children are placed in special schools for children with mental deficiencies.

– Articles 3, 14 and 2 of Protocol No. 1.

A hearing on the admissibility and the merits is scheduled for 1 March 2005.

(15) Gelfmann v. France, no. 25875/03

The applicant is a prisoner suffering from the advanced stages of AIDS. He has unsuccessfully asked on several occasions to be released on parole. In May 2003 doctors concluded that the applicant's chances of survival were in doubt. However, one doctor considered that the applicant was fit to be detained in an ordinary prison under careful medical supervision, while the second concluded that his state of health was incompatible with ordinary detention and required hospitalisation. In June 2003 the Paris regional parole board ordered a stay of execution of the applicant's sentence. However, on an appeal by the Principal Public Prosecutor, the national parole board quashed that decision, referring in particular to a psychiatric report which drew attention to the "criminological danger" posed by the applicant. The applicant alleged in the Convention proceedings that his poor state of health is incompatible with his continued imprisonment.

– Article 3

Judgment of 23 November 2004 – no violation.

(16) Swedish Transport Workers' Union v. Sweden, no. 53507/99

The applicant Union complained of a lack of access to court and other effective remedies against the decision of a fair-competition surveillance authority setting aside a collective agreement clause on the ground that it impaired free and fair competition.

– Articles 6 § 1, 11 and 13

Partly admissible (decision of 30 November 2004) – the case is pending.

VI. RULE 39 (INTERIM MEASURES) AND RULE 41 (PRIORITY) REQUESTS

- (a) Requests for interim measures pursuant to Rule 39 and for priority pursuant to Rule 41 of the Rules of Court were granted in 23 cases, the most interesting including the following:

(1) Mirtskhoulava v. Georgia, no. 18372/04

The applicant, a prisoner, claimed that he urgently required medical treatment and that the prison where he was being held could not provide him with appropriate treatment. He requested his transfer from prison to a hospital (Article 3). The Court was subsequently informed that the transfer has been effected and the Rule 39 measure was lifted on 7 December 2004.

The case is pending.

Eleven cases v. the Netherlands

- (2) Yuusuf Nuur v. the Netherlands, no. 1734/04**
- (3) Salah Sheekh v. the Netherlands, no. 1984/04**
- (4) Ali Yousef v. the Netherlands, no. 2683/04**
- (5) Abdi Iyow v. the Netherlands, no. 4028/04**
- (6) Warmahaye v. the Netherlands, no. 4142/04**
- (7) Jimale v. the Netherlands, no. 7028/04**
- (8) Noor Mohammed v. the Netherlands, no. 14029/04**
- (9) Hadji v. the Netherlands, no. 15195/04**
- (10) Ali Mohammed v. the Netherlands, no. 15204/04**
- (11) Barakat Saleh v. the Netherlands, no. 15243/04**
- (12) Hassan Abukar v. the Netherlands, no. 20218/04**

The above cases all concerned the proposed expulsion from the Netherlands of Somalian nationals to Puntland, northern Somalia. The applicants claimed that their lives would be at risk if they were to be deported to northern Somalia, given that they belonged (mainly) to minority clans and that their protection could not be guaranteed in northern Somalia.

(13) Rubina and Rubin v. Sweden, no. 35733/04

The applicants claimed that they were caught up in a conflict between the Uzbeki police and an extremist group. According to the applicants, members of the group kidnapped, tortured and raped the first applicant in November 2001 in order to extract money from the second applicant, and the latter was in turn detained and ill-treated by the police in February 2002, accused of co-operating with the group and coerced into testifying against the group. The applicants alleged that the first applicant is suffering from a severe post-traumatic stress disorder as well as from depression and is suicidal. The applicants' request for asylum in order to prevent their removal to Uzbekistan was rejected by the Swedish authorities.

The case is pending.

(14) Haziri and Others v. Sweden, no. 37468/04

The applicants are a family of Albanian ethnic origin and come from Kosovo. They arrived in Sweden in 1998 after, they alleged, many years of harassment by the Serbian population and by the police. In Sweden one of the applicants was placed in psychiatric care. This applicant attempted to take her life on several occasions. A psychiatrist concluded that she showed symptoms of post-traumatic stress disorder and signs of depression. The doctor found that if this applicant were to be forced to return to Serbia, there was a risk that she might try to commit suicide again. The applicant was referred to adult-psychiatric care. The applicants' request for asylum was refused by the Swedish authorities.

The case is pending.

(15) Zamani Alavijeh v. Sweden, no. 40046/04

The applicant, an Iranian national, alleged that, if expelled to Iran, he would be exposed to a risk of ill-treatment, given his history of anti-government activities there and the difficulties which he has had with the Iranian authorities. He maintained that he had been tortured in the 1990s and fled the country in defiance of a ban. He further submitted that some local newspapers in Sweden have written about him and his criticism of the regime in Iran, and that the Iranian authorities are aware of his opposition. He maintained that he received threats after the newspaper articles appeared. The applicant and his former wife, a Swedish national, have a son, who was born in 1999. Although divorced, they care for their child together. The son has a heart problem. The applicant submitted that it was important for the child to remain close to both his parents. According to medical evidence, the applicant has been suffering from depression for several years and has displayed suicidal tendencies.

(16) Sv. Sweden, no. 41983/04

The first applicant is an ethnic Azeri from Baku. The applicant, his wife, is a Christian Armenian. The third applicant is the couple's daughter. The applicants claimed that they had been harassed by the Turkish population in Azerbaijan and that the police there did not offer them any protection. The first applicant also stated that he had been engaged in anti-government activities and had taken part in demonstrations. When faced with the threat of arrest, the family fled the country and came to Sweden. Since their arrival in Sweden, their health has deteriorated, in particular that of the first and third applicant, both of whom have received psychiatric treatment. The third applicant reacts violently towards her parents, no longer trusts them and has tried to harm herself on occasions.

The case is pending.

(17) Adhari and others v. Sweden, no. 44460/04

The first applicant is a stateless person, married to an Egyptian national (the second applicant). The third applicant, also an Egyptian national, is their child. The third applicant suffers from primary ciliary dyskinesia. The applicants maintained that the third applicant's condition required daily treatment. He had been attending a clinic in Sweden for his condition. If the family were expelled to Egypt, his life would be at risk.

The Rule 39 measure, applied on 16 December 2004, was later lifted when the Court was informed by applicants' lawyer that the applicants had in fact left Sweden prior to his filing of the Rule 39 request on their behalf.

(18) Mostachjov Aleksandrevich and others v. Sweden, no. 44891/04

The first applicant is a Belarus national married to a Russian national, the second applicant. Their child, the third applicant, was born in Russia and is a Russian national. The first applicant maintained that he was forced to flee Belarus because of threats to his and his family's security on account of his political activities in Belarus. The applicants' request for asylum was refused by the Swedish authorities. The third applicant is suffering from severe psychiatric problems and since arriving in Sweden has tried on occasions to commit suicide. He has to be tube-fed and is in a non-communicative state. The second applicant is also non-communicative and is suffering from severe depression (Article 3).

The case is pending.

(19) Gunduz v. Turkey, no. 37997/04

The applicant alleged that he is required to perform his military service even though he has been diagnosed as suffering from a life-threatening disease (*pemphigus vulgaris*). He maintains that this illness, which according to military regulations justifies his exemption from military service, needs to be monitored carefully (Articles 2 and 3).

The case is pending.

(20) Mzhachikh v. Ukraine, no. 14787/04

The applicant, a detainee, requested the Court to indicate an interim measure to the Ukrainian authorities on the ground that his conditions of detention were inappropriate to his state of health (lack of ventilation, normal feeding, proper medical care, etc.). He stated that he was suffering from an acute form of tuberculosis. The measure requested was to transfer the applicant from his place of detention to a hospital for treatment of his aggravated form of tuberculosis. On 28 April 2004 the President granted the request and indicated the interim measure to the Government. On 11 May 2004, both parties informed the Court that the interim measure had been complied with and on 29 April 2004 the applicant was transferred to the tuberculosis unit of a regional detention facility and on 30 April 2004 to the regional hospital. On 20 May 2004, the Government further informed the Court that on 18 May 2004 the Regional Court of Crimea had changed the applicant's sentence of imprisonment to two years probation. The court also ordered the immediate release of the applicant and replaced his detention on remand by an undertaking not to abscond. The same day the applicant was released. The interim measure was lifted on 5 July 2004.

The case is pending.

(21) Sizarev v. Ukraine, no. 17116/04

The applicant was a detainee. It was alleged that he was beaten by police officers and suffered serious injuries which required medical treatment. He was transferred from his place of detention to a hospital for treatment. Following his discharge, he was again placed in detention. He maintained that he continued to require medical treatment for his injuries and that his deteriorating state of health was incompatible with his detention. He requested the Court to have him transferred to a hospital. The Rule 39 measure was lifted on 5 July 2004 when the Court was informed that the applicant had been transferred to a hospital.

The case is pending.

(22) Kaboulov v. Ukraine, no. 41015/04

The applicant, a Russian national, is awaiting extradition to Kazakhstan where he is wanted in connection with a murder. He maintains that his extradition by the Ukrainian authorities might expose him to the risk of the death penalty being applied to him if he is convicted by the Kazakh courts (Articles 2, 3 and 5).

The case is pending.

- (b) Requests for priority pursuant to Rule 41 of the Rules of Court were granted in 76 cases in 2004, including the 23 Rule 39 cases. Most of the applications had an element of individual urgency, such as an imminent deportation, child custody litigation or access, the conditions of a prisoner's detention or an applicant's age.

VII. THIRD-PARTY INTERVENTION (ARTICLE 36 AND RULE 61)

Leave to submit third-party comments was given by the President pursuant to Rule 61 § 3 of the Rules of Court in the 3 following cases:

(1) Kyprianou v. Cyprus, no. 73797/01

(see no. 1 in V. Other cases of interest, p. 4 above)

(2) D.H. and Others v. the Czech Republic, no. 57325/00

(see no. 14 in V. Other cases of interest, p. 8 above)

(3) Behrami and Behrami v. France, no. 71412/01

The case concerned the responsibility of France under Article 1 of the Convention in respect of an alleged negligent failure to act by troops in the international security force (KFOR) in Kosovo. It was alleged that KFOR in the French sector of Kosovo had negligently failed to mark out and defuse unexploded cluster bombs which had been dropped during the NATO bombardment of 1999. The first applicant's son was killed and the second applicant's son was seriously injured when one of the bombs which the children found exploded. They complained about a failure to fulfil a positive obligation to protect life in violation of Article 2 (Articles 1 and 2).

The case was communicated on 16 September 2003 and is pending.

VIII. STATISTICAL INFORMATION

1. Results for the year
2. Results by month
3. Applications pending
4. Graphic charts
 - (a) Judgments delivered
 - (b) Inadmissibility and strike-out decisions
 - (c) Admissibility decisions
 - (d) Applications communicated
 - (e) Applications pending by year of lodging
 - (f) Applications pending by State

APPENDIX 1

Judgments delivered in 2004	
Merits	177
Striking out	2
Friendly settlement	11
Just satisfaction	3
Revision	2
Total	195

Chamber decisions adopted in 2004	
Applications declared admissible	201
Applications declared inadmissible	95
Applications struck out of the list	52
Total	348

Committee decisions adopted in 2004	
Applications declared inadmissible	5401
Applications struck out of the list	63
Total	5464

Applications communicated in 2004	
Total	555

Total cases finalised in 2004 (judgments*, inadmissibility and strike-out decisions)	5801
---	-------------

*Not including judgments on just satisfaction and revision but including judgments which are not yet final. Some judgments dealt with a number of joined applications.

APPENDIX 2

Chambers					Comittees	
Judgments	Admissible	Inadmissible	Struck out	Communicated	Inadmissible	Struck out
7	4	8	5	29	364	10
12	5	4	1	52	195	3
7	11	10	4	48	470	7
19	8	2	1	24	186	0
8	22	11	5	30	428	8
27	18	13	12	68	522	3
22	6	5	3	7	254	6
0	10	1	0	21	197	1
16	41	11	5	90	1132	7
33	30	8	10	43	661	12
30	36	18	6	78	647	4
14	10	4	0	65	345	2
195	201	95	52	555	5401	63

APPENDIX 3

Applications pending on 31 December 2004	
Total applications not yet examined	14 627
Adjourned/Communicated for information	28
Communicated/Adjourned	0
Communicated for observations	969
Admissible	169
Judgments not yet final	103
TOTAL APPLICATIONS PENDING	15 896

APPENDIX 4

Chart 1: Judgments delivered in 2004

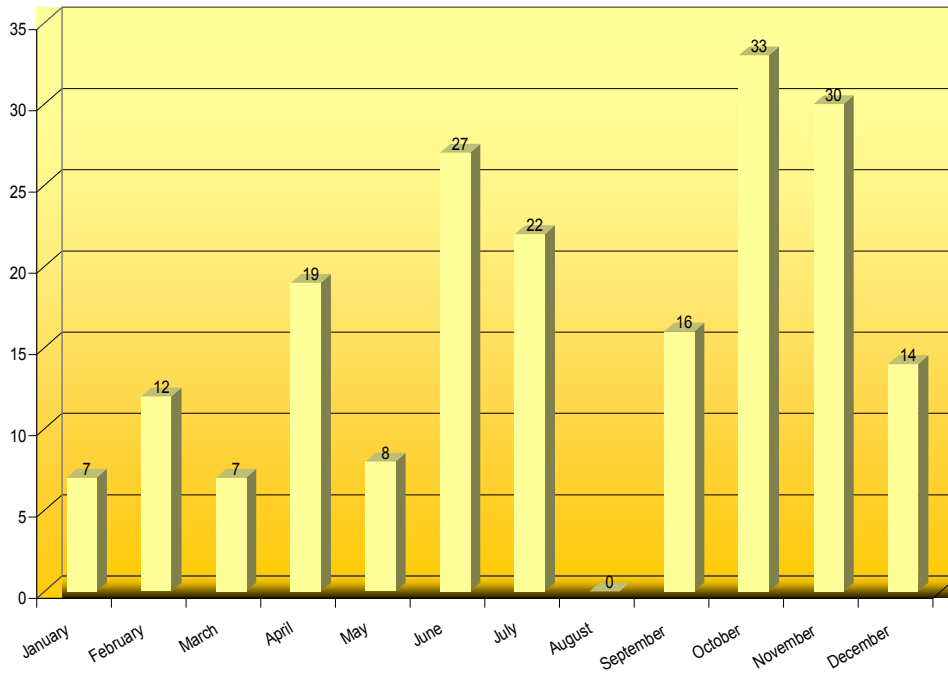
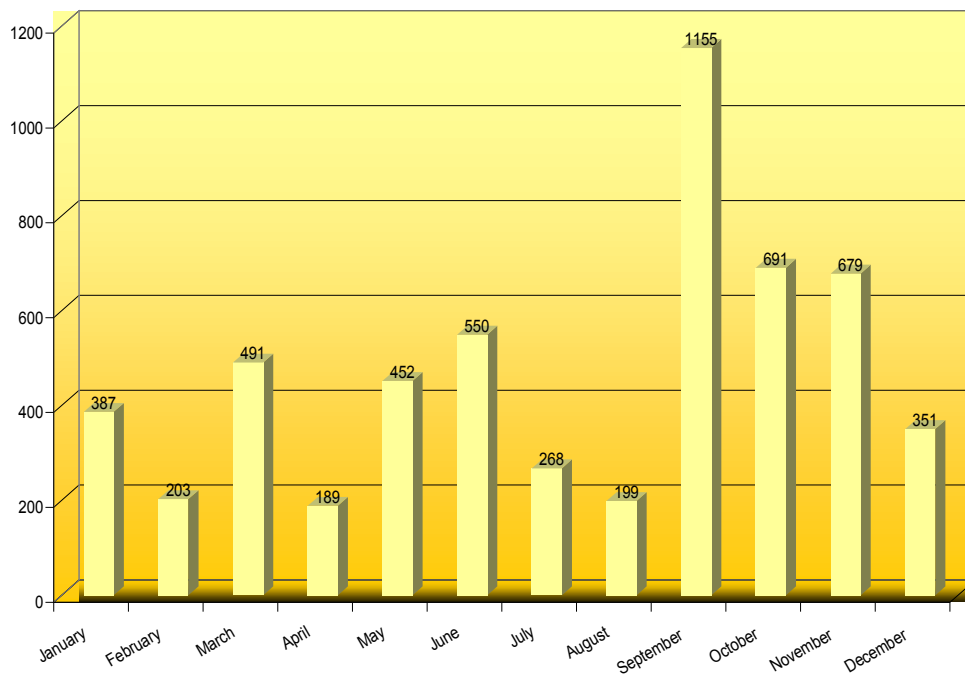


Chart 2: Inadmissibility and strike-out decisions adopted in 2004



Annual Report 2004: Second Section

Chart 3: Admissibility decisions adopted in 2004

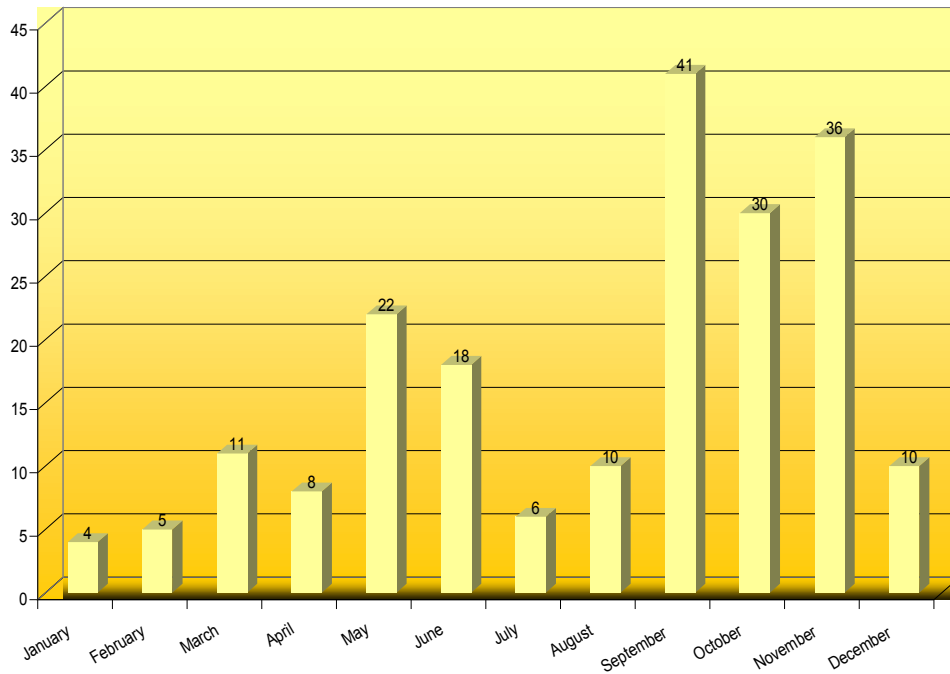


Chart 4: Applications communicated in 2004

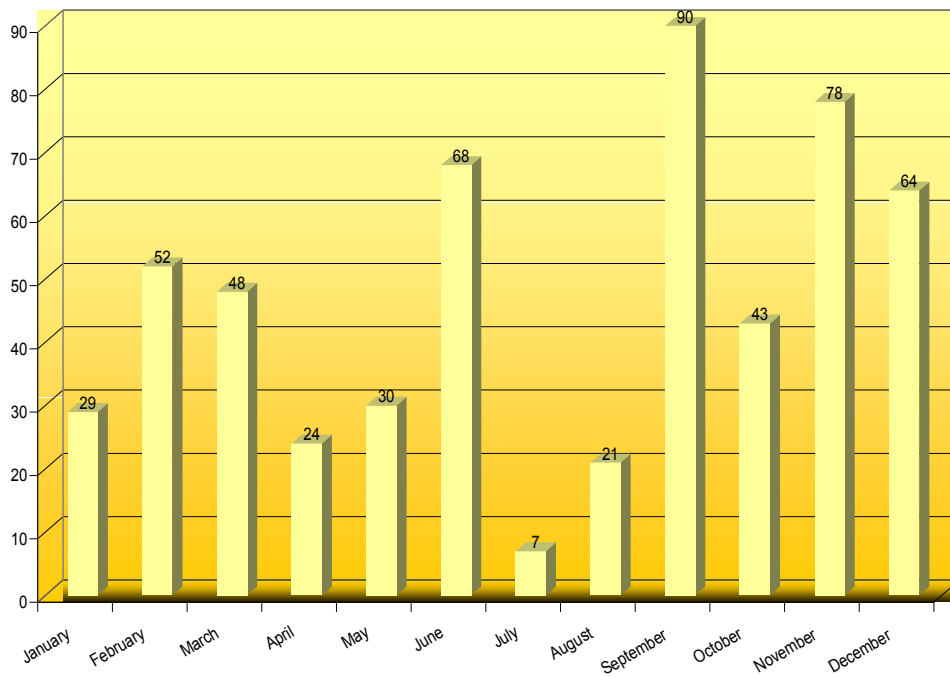


Chart 5: Applications pending on 31 December 2004 by year of lodging

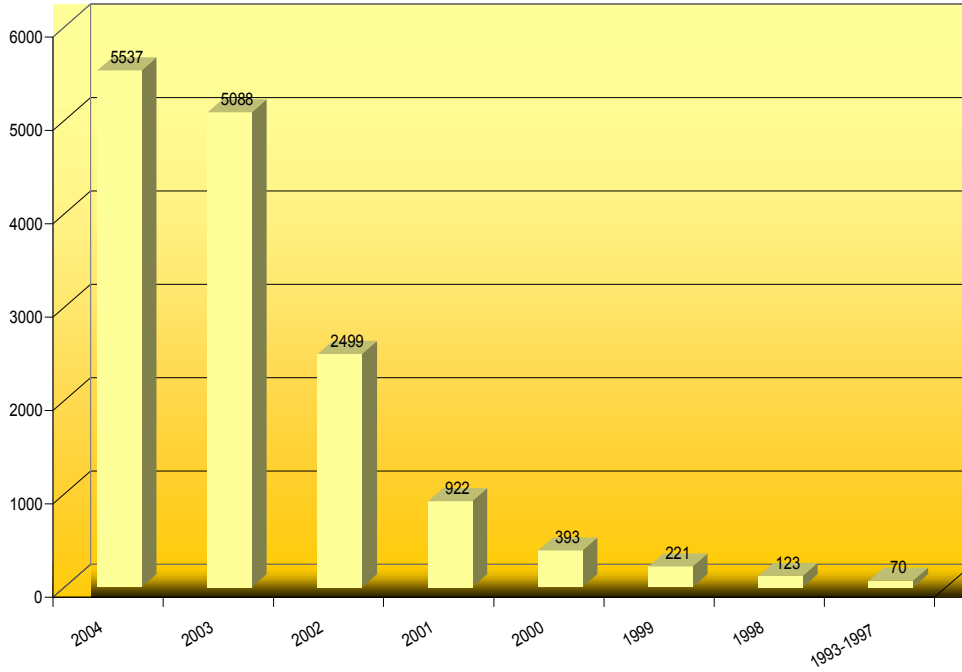


Chart 6: Applications pending on 31 December 2004 by State

